

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 03.03.2017
CORAM
THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.5472 of 2017

A.V.Radhkrishnan

.. Petitioner

Vs.

1. The Regional Deputy Commissioner (Central)
Greater Chennai Corporation
Second Cross Street (East)
Pulla Avenue, Shenoy Nagar
Chennai-30.
2. The Executive Engineer
Ward X, Corporation of Chennai
Chennai-24.
3. The Zonal Officer
Ward X, Corporation of Chennai
Chennai-24.
4. The Tahsildar
Aminjikarai
Chennai.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Certiorari calling for the records of the 1st respondent pertaining to his proceedings Z.O.-X/C.No.A8/855/2017, dated 24.2.2017 and quash the same.

For Petitioner : Mr.AR.L.Sundaresan
Senior Counsel
for Mr.K.S.Karthik Raja

For Respondents : Mr.T.N.Rajagopalan
Spl. Government Pleader
for 4th respondent

Mr.R.Arunmozhi
for respondents 1 to 3

ORDER
(Order of the Court was made by the Acting Chief
Justice)

Mr.R.Arunmozhi, learned counsel takes notice for respondents 1 to 3 and Mr.T.N.Rajagopalan, learned Special Government Pleader takes notice for the fourth respondent.

2. Heard the learned counsel for the parties.

3. The petitioner has filed this writ petition seeking issuance of a writ of Certiorari calling for the records of the 1st respondent pertaining to his proceedings Z.O.-X/C.No.A8/855/2017, dated 24.2.2017 and quash the same.

4. It is the case of the petitioner that based on the order passed by this Court on 9.1.2017 in W.P.Nos.10515 and 24450 of 2015, demarcation of the property was done by the respondent/authorities and the impugned notice dated 24.2.2017 was served on him to remove the encroachment within seven days. It is the plea of the petitioner that the land in question is patta land and the respondent authorities did not grant opportunity to the petitioner to put forth his case before demarcation of the property.

5. On hearing the learned counsel for the parties, we direct the respondent authorities to once again demarcate the property in question, of course after affording an opportunity to the petitioner to put forth his case along with all relevant documents. The petitioner is granted fifteen days time from the date of receipt of a copy of this order to put forth his case as aforesaid. The respondent authorities shall thereafter demarcate the property in question and pass appropriate orders in accordance with law within fifteen days therefrom. Till such decision is taken by the respondent authorities, there shall be an order of status quo. In case the respondent authorities find any encroachment, they can proceed to remove the encroachments in accordance with law and take steps to acquire the land.

The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.No.5827 of 2017 is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

1. The Regional Deputy Commissioner (Central)
Greater Chennai Corporation
Second Cross Street (East)
Pulla Avenue, Shenoy Nagar
Chennai-30.
2. The Executive Engineer
Ward X, Corporation of Chennai
Chennai-24.
3. The Zonal Officer
Ward X, Corporation of Chennai
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4. The Tahsildar
Aminjikarai
Chennai.

+1 cc to Government Pleader sr 14244
+1 cc to M/s.R.Arunmozhi Advocate sr 14215
+1 cc to M/s.K.S.Karthik Raja Advocate sr 14074

W.P.No.5472 of 2017

rsy(co)
aa17/03/2017

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