

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2017

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE
AND
The Hon'ble MR.JUSTICE M.SUNDAR

W.P. No.8672 of 2017
and
W.M.P.No.9496 of 2017

1. M/s.Estaa Agency,
Rep. By its Proprietor, Agathian J.Pandian.
2. M/s.Estaa Energy & Industries Private
Limited, Rep. By its Director. Petitioners

-Vs-

1. The District Collector,
Office of the District Collectorate,
Kancheepuram.
2. The Tahsildar,
Thirupporur, Kancheepuram District.
3. Indian Oil Corporation Limited,
Rep. By its Divisional Manager
(Marketing Division), Chennai
Divisional Office, No.500, Anna Salai,
Teynampet, Chennai 600 018. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records of the 2nd respondent pertaining to his impugned notice dated 23.03.2017 and quash the same and further direct the respondents 1 and 2 to levy such other fees as may be necessary as per law for utilizing the culvert, pavement, pipeline under the culvert and the garden.

For Petitioner : Mr.V.Anand

For Respondents : Mr.M.K.Subramanian,
Government Pleader for RR 1 and 2

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

This writ petition is directed against the order under Section 6 of the Tamil Nadu Land Encroachment Act, 1905, whereby it has been alleged that the petitioner is in unauthorised occupation of the property of the Government, as mentioned in the schedule to the order. The petitioner has been called upon to vacate the property within seven (7) days from the date of receipt of the order, failing which the petitioner would be evicted.

2.From the schedule, it appears that the petitioner has raised a concrete parapet wall. Learned counsel appearing on behalf of the petitioner submits that the petitioner will give an undertaking to remove the parapet wall before the District Collector (respondent No.1).

3.This writ petition is disposed of, by recording the aforesaid undertaking of the learned counsel for the petitioner. If the petitioner gives the undertaking to respondent No.1 and also removes the parapet wall, proceedings against the petitioner may be dropped. There shall, however, be no order as to costs. Consequently, W.M.P.No.9496 of 2017 is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sra

To

1. The District Collector,
Office of the District Collectorate,
Kancheepuram.
2. The Tahsildar,
Thirupporur,
Kancheepuram District.

+2cc's to Mr.V.Anand, Advocate, S.R.No.21794
+1cc to the Government Pleader, S.R.No.22269

W.P.No.8672 of 2017

SAI(CO)
CA(02/05/2017)