

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

WP No.32572/2017

P.Mohan

..

Petitioner

Vs

1.The District Collector
Thiruvallur District,
Thiruvallur.

2.The Commissioner
Poonamallee Municipality
Poonamallee.

3.The Tahsildar
Poonamallee Taluk
Poonamallee.

4.Sathyavelu

5.Jayanthirani

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of mandamus directing the respondents 1
to 3 to pass orders on the petitioner's representation dated 21.11.2017

by taking action against the respondents 4 and 5 at the earliest point of time as may be fixed by this Court.

For petitioner	: Mr.J.Pothiraj
For R1&R3	: Mr.A.N.Thambidurai, Spl.GP
For R2	: Mr.R.Sivakumar

ORDER

[Order of the Court was delivered by M.SATHYANARAYANAN, J.]

By consent, the writ petition is taken up for final disposal. Mr.A.N.Thambidurai, learned Special Government Pleader accepts notice on behalf of the respondents 1 and 3 and Mr.R.Sivakumar, learned standing counsel accepts notice on behalf of the 2nd respondent.

2 The petitioner has filed the present writ petition as a Public Interest Litigation and he claims to be a law abiding citizen and according to him, the respondents 4 and 5 had encroached upon the land admeasuring to an extent of 1740 sq.ft., in survey Nos.423 and 424 of Kattupakkam Village and also put up a superstructure and that apart, they had also encroached upon the public street in Survey No.426 and had put up an additional construction and thereby, obstructing the free flow of traffic on the public road. The petitioner, in

this regard, has submitted a detailed representation dated 21.11.2017 to the respondents 1 to 3 and despite the receipt and acknowledgment, no action has been taken so far and hence, the petitioner came forward to file the present writ petition.

3 The Court heard the submissions of the learned counsel for the petitioner ; Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the respondents 1 and 3 and Mr.R.Sivakumar, learned standing counsel appearing for the 2nd respondent and also perused the materials placed before it.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in his representation or in this writ petition, directs the 3rd respondent to put the petitioner as well as the respondents 4 and 5 on notice and thereafter, cause inspection of the above said lands with the help of the jurisdictional Surveyor within a period of six weeks from the date of receipt of a copy of this order and depending upon the result of the survey, the 3rd respondent shall take appropriate action in accordance with law within a further period of eight weeks thereafter and

M.SATHYANARAYANAN.,J,
and
SATRUGHANA PUJAHARI.,J,

AP
communicate the decision taken, to the petitioner as well as to the
respondents 4 and 5 herein.

5 The writ petition stands disposed of with the above
direction. No costs.

[M.S.N.,J] [S.P.I., J]
14.12.2017

Internet : Yes

AP

To

- 1.The District Collector
Thiruvallur District,
Thiruvallur.
- 2.The Commissioner
Poonamallee Municipality
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- 3.The Tahsildar
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