

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.671 of 2015
and M.P.No.1 of 2015

S.Naheep Khan
Rep. by his Power-Agent
Mr.G.Srinivasan ..Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary,
Panchayat & Rural Department,
St.George Fort,
Chennai - 600 009.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The Tahsildhar,
Tambaram Taluk,
Chrompet, Chennai - 600 044.
4. The Commissioner,
Pallavaram Municipality,
Chrompet, Chennai 600 044.
Tambaram Taluk, Kanchipuram District.
5. The President / Secretary,
Lakshmi Nagar Welfare Association,
Lakshmi Nagar, Chrompet, Chennai - 44.
6. The Tahsildhar,
Alandur Taluk, Kancheepuram District. ..Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus to direct the respondent, particularly the respondents 4 and 5 from the interference, including removal of the display board displayed in the subject property and wall constructed into the property, to an extent of 4900 sq.ft., situated at Jamine Pallavaram Village, Lakshmi Nagar, Tambaram Taluk, Kanchipuram District, Patta No.559, comprised in Survey No.431/1 and consequently direct the respondents 2 to 3 to issue patta in favour of the petitioner's principal as per representation dated 23.10.2014.

For Petitioner : Mr.R.Thanjan
For Respondents : Mr.V.Shanmuga Sundar,
Spl.G.P, for RR1, 2, 3 & 6
Mr.P.Srinivas, for R4
Mr.S.Prasath, for R5

ORDER

Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the respondents 1,2,3 & 6 and the learned Standing counsels for the respondents 4 & 5 and perused the materials available on record.

2. The case of the petitioner is that the land in dispute measuring an extent of 4900 sq.ft. situated at Jamine Pallavaram Village, Lakshmi Nagar, Tambaram Taluk, Kanchipuram District, Patta No.559, comprised in Survey No.431/1 belongs to him and an attempt was made by the respondents to take possession and hence he sent a representation, dated 23.10.2014. Since no favourable order was forthcoming, this writ petition.

3. The learned Standing Counsel for the 5th respondent submitted that in the approved layout, the land in dispute has been shown as park land and the said area was taken over by the respondents and they have formed a park to an extent of 15,500 sq.ft.

4. According to the learned Standing Counsel for the fourth respondent, the petitioner cannot claim right over the property, however, they are ready to consider the representation of the petitioner in accordance with law.

5. In the light of the above submissions, this Court, without going into the merits of the case, directs the fourth respondent to consider the representation of the petitioner on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the necessary parties.

6. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

pvs

To

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Lakshmi Nagar, Chrompet, Chennai - 44.
 6. The Tahsildhar,
Alandur Taluk, Kancheepuram District.
- +1 CC to Mr.R.Thanjan, Advocate sr 45464.
+1 CC to Mr.P. Srinivas, Advocate sr 45083.

W.P.No.671 of 2015

SR(CO)
SP(23/07/2018)

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