

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2018

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.No.15702 of 2018

R.Rajaram

...Petitioner

vs.

- 1.The District Collector,
Collectorate,
Tiruvannamalai - 606 604.
- 2.The Assistant Director(Panchayat)
Collectorate,
Tiruvannamalai - 606 604.
- 3.The Revenue Divisional Officer,
Tiruvannamalai - 606 601.
- 4.The Tahsildar,
Taluk Office,
Chengam & Chengam Taluk,
Tiruvannamalai - 606 701.
- 5.The Block Development Officer
(Village Panchayat),
Union Office, Chengam,
Tiruvannamalai District - 606 701.
- 6.The Revenue Inspector,
Pachal Firkha, Pachal Village, Chengam Taluk,
Thiruvannamalai District - 606 704.
- 7.The Village Administrative Officer,
Kannakurukkail Village, Pachal Post
Chengam Taluk - 606 704.
Tiruvannamalai District.

8.Murugan

9.Viji @ Vijayakumar

10.Venkatesan

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st to 7th respondents to remove the encroachment made by the respondents No.8 to 10. In Survey No.95 which is Lake of Kannakurukkai Village, Chengam Taluk, Tiruvannamalai District by considering the petitioner representation dated 02.04.2018 in accordance with law within the time fixed by this Hon'ble Court.

For Petitioner : Mr.M.Mariappan
For Respondents : M/s.M.Lalitha, GA for R1 to R4

ORDER

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

By consent, the writ petition is taken up for final disposal.

2. Ms.M.Lalitha, learned Government Advocate accepts notice on behalf of the respondents 1 to 4.

3. The petitioner would aver that there is a water body in S.No.95, Kannakurukkai Village, Pachal Post, Chengam Taluk and it lies on the eastern and southern side of the Government Higher Secondary School and Anganwadi School. The private respondents 8 to 10 had encroached upon the same and also put up superstructure and the petitioner in this regard had submitted a representation dated 02.04.2018 to all the respondents and despite receipt and acknowledgment, no steps have been taken to redress the grievance of the petitioner and hence came forward to file this writ petition.

4. The learned counsel appearing for the petitioner has drawn the attention of this Court to FMB sketch of S.No.95 as well as representation submitted and would submit that it will be suffice to direct the concerned respondents to consider and dispose of the representation in accordance with law within a stipulated time.

5. This Court heard the submission of Ms.M.Lalitha, learned Government Advocate appearing for the respondents 1 to 7, who would submit that the inspection will be carried out and depending upon the result of the same, further action will be taken in accordance with law at the earliest.

6. This Court has considered the rival submissions and also perused the materials placed before it.

7. This Court, taking into consideration 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 respondents 4 to 7 to cause inspection of the land in S.No.95, Kannakurukkai Village, Pachal Post, Chengam Taluk and find out whether, there is a water body or there are encroachments on the public land, and the said exercise is to be carried out within a period of eight weeks from the date of receipt of copy of this order, after putting on notice the persons concerned including respondents 8 & 9 and depending upon the result of the inspection, the respondents 4 to 7, shall take appropriate action in accordance with law for the removal of encroachments, if any within a further period of six weeks thereafter and communicate the decision taken to the petitioner, respondents 8 & 9 and other encroachers, if any.

8. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Collectorate, Tiruvannamalai - 606 604.

2.The Assistant Director(Panchayat)
Collectorate, Tiruvannamalai - 606 604.

3.The Revenue Divisional Officer,
Tiruvannamalai - 606 601.

4.The Tahsildar,
Taluk Office,
Chengam & Chengam Taluk,
Tiruvannamalai - 606 701.

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5.The Block Development Officer
(Village Panchayat),
Union Office, Chengam,
Tiruvannamalai District - 606 701.

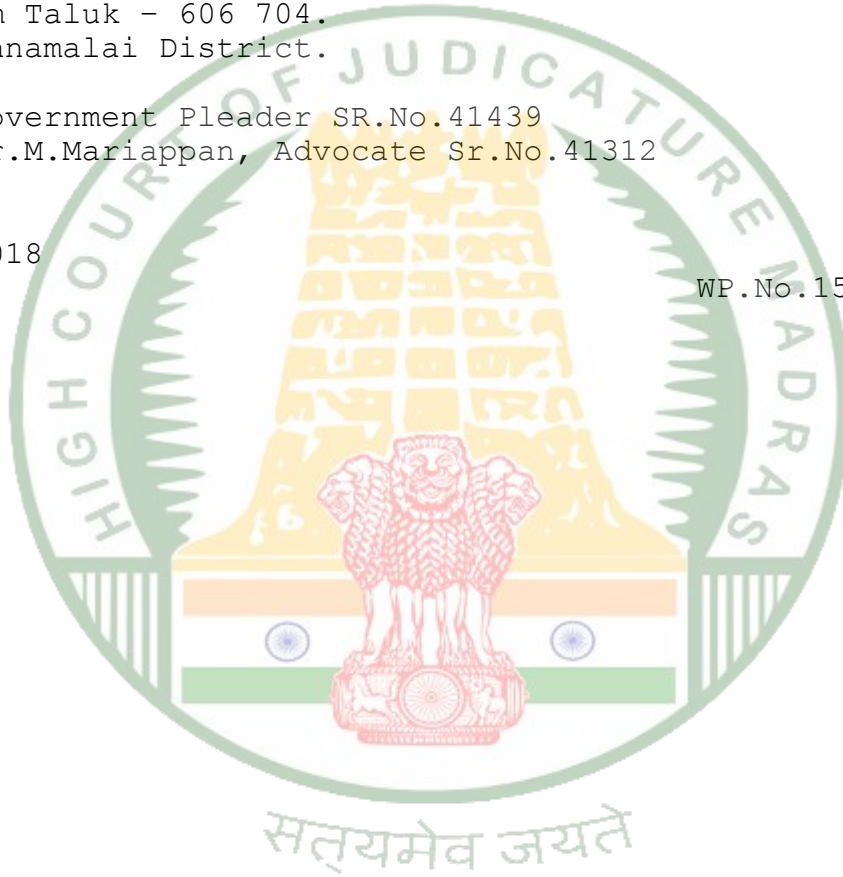
6.The Revenue Inspector,
Pachal Firkha, Pachal Village, Chengam Taluk,
Thiruvannamalai District - 606 704.

7.The Village Administrative Officer,
Kannakurukkail Village, Pachal Post
Chengam Taluk - 606 704.
Tiruvannamalai District.

+1cc to Government Pleader SR.No.41439
+1cc to Mr.M.Mariappan, Advocate Sr.No.41312

CA(CO)
sm:18.7.2018

WP.No.15702 of 2018



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