

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2018

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.18137 of 2018

G.Kanagarajan

.. Petitioner

Vs.

1.The District Collector,
Kanchipuram District,
Kanchipuram.

2.The Commissioner,
Panchayat Union Office Building,
E-Padappai, Chennai - 601 301.

3.The Tahsildar,
Alandur Taluk,
Alandur, Chennai - 600 016.

4.The President,
Town Panchayat,
Moulivakkam, Chennai - 600 125.

5.Rajeswari

6.Special Officer/BDO (Village Panchayat)
Moulivakkam, Village Panchayat,
Chennai - 600 125.

7.Commissioner/Special Officer/BDO,
Kundrathur Panchayat Union at Padappai,
Kanchipuram District.

.. Respondents
(R6 & R7 impleaded as respondents vide order dated 12.12.2018 in
W.M.P.No.38538 of 2018)

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of mandamus directing the respondents to consider the petitioner's representation dated 23.06.2018 and 05.07.2018 respectively and subsequently direct the 4th respondent to remove the encroachment put up by the 5th respondent in Moulivakkam area morefully described in the Schedule to petition.

For Petitioner : Mr.M.Aravind Subramaniam
For Respondents: Mr.S.Kamalesh Kannan,
Government Advocate (R1 & R3)
Mr.J.Pothiraj (R2, R4, R6 & R7)
Mr.K.Seetharam (R5)

O R D E R
(Order of the Court made by M.DURAISWAMY,J.)

The petitioner has filed the above Writ Petition to issue a Writ of mandamus directing the respondents to consider the petitioner's representation dated 23.06.2018 and 05.07.2018 respectively and consequently, direct the 4th respondent to remove the encroachment put up by the 5th respondent in Moulivakkam area.

2.By order dated 19.11.2018, the Division Bench of this Court directed the respondents 3 & 4 to take effective and efficacious steps to remove the encroachments allegedly put up by the 5th respondent in Moulivakkam on or before 30.11.2018 and to file a status report.

3.When the matter is taken up for hearing today, the learned Special Government Pleader appearing for the respondents 2, 4, 6 & 7 submitted that the respondents have already demolished the superstructure put up in the encroached land.

4.The learned counsel appearing for the petitioner submitted that after demolishing the superstructure, the respondents have not removed the debris from the land so far.

5.The learned Special Government Pleader appearing for the respondents submitted that the respondents would remove the debris from the land at the earliest.

6.In view of the submissions made by the learned counsel on either side, since the respondents had already demolished the superstructure standing on the encroached land and that they would remove the debris at the earliest, we are not inclined to pass any further order. The Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

va

To

- 1.The District Collector,
Kanchipuram District,
Kanchipuram.
- 2.The Commissioner,
Panchayat Union Office Building,
E-Padappai, Chennai - 601 301.
- 3.The Tahsildar,
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Alandur, Chennai - 600 016.
- 4.The President,
Town Panchayat,
Moulivakkam, Chennai - 600 125.
- 5.Special Officer/BDO (Village Panchayat)
Moulivakkam, Village Panchayat,
Chennai - 600 125.
- 6.Commissioner/Special Officer/BDO,
Kundrathur Panchayat Union at Padappai,
Kanchipuram District.

+1cc to Mr.M.Aravind Subramaniam, Advocate, S.R.No. 86353
+1cc to Mr.J.Pothiraj, Advocate, S.R.No. 85767
+1cc to the Government Pleader, S.R.No. 86186

W.P. No.18137 of 2018

GJII(CO)
GN(28/01/2019)

सत्यमेव जयते

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