

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2017

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

And

THE HON'BLE MR.JUSTICE N.SESHASAYEE

W.P.No.26232 of 2018
and WMP.Nos.27885 of 2017

P.Kokila

.. Petitioner

vs.

1.The Collector,
Thiruvallur District,
Thiruvallur.

2.The Tahsildar,
Pallipattu Taluk,
Pallipattu.

3.The Inspector of Police,
R.K.Pet Police Station,
Pallipattu Taluk,
Thiruvallur District.

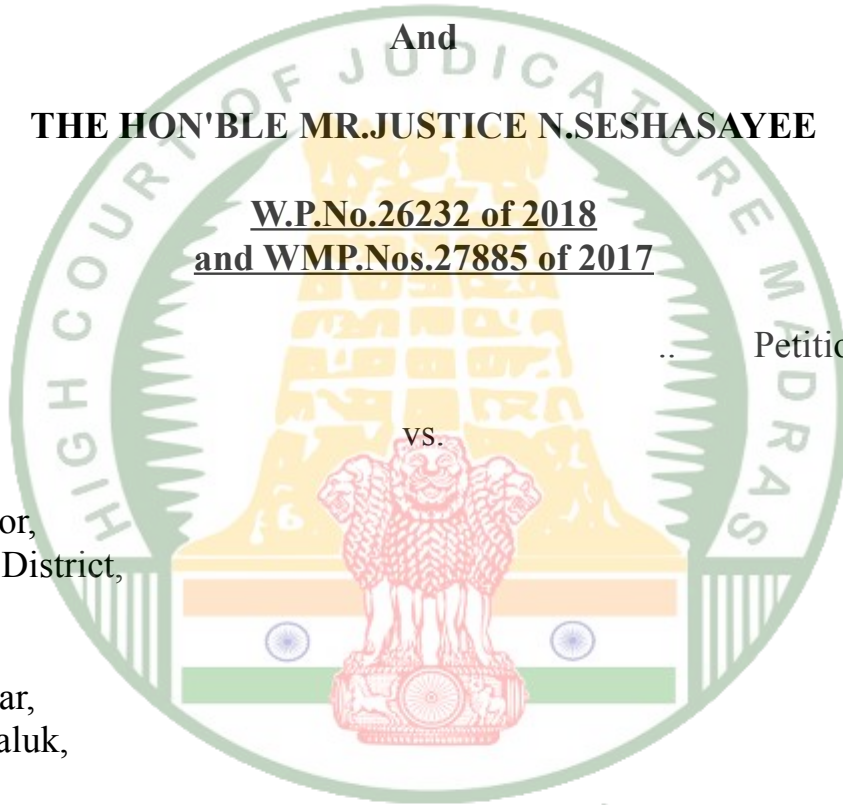
4.A.Perumal

5.Jayavel

6.Velu

7.Subramani

.. Respondents



WEB COPY

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 remove the encroachment made in S.No.66/3, Canal Poromboke, Sanoor Mallavaram Village, Pallipattu Taluk, Thiruvallur District by the respondents 4 to 7 and to demolish the illegal construction made by the fourth respondent.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

ORDER

(Order of the Court was made by **M.SATHYANARAYANAN, J.**)

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner would state that she and her husband, namely Purushothaman are the owners of the land in S.No.66/3, Sanoor Mallavaram Village, which is a dry land and their agricultural operations depend upon irrigation of the canal water situated in S.No.66/3 and it has been shown as “Canal Poromboke”[Water Course]. The grievance expressed by the petitioner is that the respondents 4 to 7 had encroached upon the said land and the fourth respondent, being the President of the Local Body, started putting up construction without any planning permission and the other respondents also laid boundary stone for their respective encroachment for putting up construction and proposed to sell the land.

The petitioner, in this regard, has submitted a detailed representation dated

18.09.2017 to the first respondent on the grievance day and though it was received and acknowledged, no orders have been passed and hence, came forward with this writ petition.

3. Heard the submission of the learned counsel appearing for the petitioner, Mr.A.N.Thambidurai, learned Special Government, who accepts notice on behalf of the respondents 1 to 3 and perused the materials placed before it.

4. Though the petitioner prays for 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, directs the petitioner to submit one more representation to the second respondent along with a copy of this order as well as a copy of her earlier representation dated 18.09.2017 submitted to the first respondent and the second respondent, upon receipt of the same, shall cause inspection of the land/area in question and after putting the respondents 4 to 7 on notice, shall consider and dispose of the petitioner's representation and pass orders on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as the respondents 4 to 7.

M.SATHYANARAYANAN, J.,
and
N.SESHASAYEE, J.

jvm

5. This Writ Petition is disposed of accordingly. No costs. Consequently,
 connected miscellaneous petition is closed.

[M.S.N., J.] [N.S.S., J.]
 09.10.2017

Index : Yes / No
 Internet : Yes / No
 jvm

To

- 1.The Collector,
Thiruvallur District, Thiruvallur.
- 2.The Tahsildar,
Pallipattu Taluk, Pallipattu.
- 3.The Inspector of Police,
R.K.Pet Police Station,
Pallipattu Taluk,
Thiruvallur District.

WEB COPY

W.P.No.26232 of 2017