

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.20534 of 2018

J.Komala

.. Petitioner

-Vs-

- 1 The State, Rep. by Secretary
Public Works Department
Government of Tamil Nadu
Secretariat, Saint George Fort
Chennai - 600009.
- 2 The Collector
Thiruvallur District - 602001.
- 3 The Revenue Divisional Officer
Thiruvallur District - 602001.
- 4 The Tahsildar
Poonamallee Taluk
Chennai - 54.
- 5 The Block Development Officer
Vellavedu Panchayat
Thiruvallur District.
- 6 The Inspector of Police
B-7, Vellavedu Police Station
Vellavedu.

7 R.Paranthaman

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 6 to take appropriate action against the 7th respondent and thereby remove the encroachment made by the 7th respondent on the canal situated at Perumal Koil Street, Kannima Nagar, Vellavedu Village and Post, Poonamallee Taluk, Thiruvallur District (Backside of petitioner's property).

For Petitioner : Mr.S.Vijay Anand

For Respondents : Mr.S.Kamalesh Kannan
Government Advocate
for respondents 1 to 6

No appearance
for 7th respondent

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Heard Mr.S.Vijay Anand, learned counsel for the petitioner and Mr.S.Kamalesh Kannan, learned Government Advocate for respondents 1 to 6.

2. The case of the petitioner is that the seventh respondent has put up encroachment on the canal situated at Perumal Koil Street, Kannima Nagar, Vellavedu Village and Post, Poonamallee Taluk, Thiruvallur District, which is situated behind the petitioner's property. The prayer of the petitioner is that respondents 1 to 6 be directed to remove the said encroachment.

3. The learned Government Advocate has tendered a counter affidavit of the fourth respondent, i.e., The Tahsildar, Poonamallee Taluk, wherein it is stated that in relation to the encroachment put up by the seventh respondent, they have issued a notice on 5.7.2019. The said notice is under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 and it has been served on the encroacher. It is further stated in the counter affidavit that follow up action will be taken to remove the encroachment after serving notice under Section 6 of the Act, considering the reply of the seventh respondent.

4. Thus, it is seen that the authorities are taking action in relation to the encroachment.

In view of the above, no further orders are required in this writ petition, except directing the respondent authorities to complete the above said exercise as expeditiously as possible. Accordingly, the writ petition is closed. No costs.

sasi

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

- 1 The Secretary
Public Works Department
Government of Tamil Nadu
Secretariat
Saint George Fort
Chennai - 600009.
- 2 The Collector
Thiruvallur District - 602001.
- 3 The Revenue Divisional Officer
Thiruvallur District - 602001.
- 4 The Tahsildar
Poonamallee Taluk
Chennai - 54.
- 5 The Block Development Officer
Vellavedu Panchayat
Thiruvallur District.
- 6 The Inspector of Police
B-7, Vellavedu Police Station
Vellavedu.

+2cc to M/s.S.Vijay Anand Advocate, SR.No.65998
+1cc to the Govt.Pleader, Vide Sr.No.66355

W.P.No.20534 of 2018

Kak(18/09/2019)

सत्यमेव जयते

WEB COPY