

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2019

CORAM

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

W.P.No.8536 of 2019

V.S.Babu

.. Petitioner

Vs

- 1 The District Collector
Thiruvallur District
Thiruvallur - 602 001.
- 2 The District Revenue Officer
Collectorate Campus
Thiruvallur - 602 001.
- 3 The Tahsildar
Poonamallee
Office of the Tahsildar
Poonamallee
Chennai - 600 056.
- 4 The Assistant Director of Panchayat
Thiruvallur District
Thiruvallur - 602 001.
- 5 The Executive Engineer
Water Resource Organization
Public Works Department
Kosathalaiyar Basin Division
Thiruvallur - 602 001.
- 6 The Commissioner
Thiruverkadu Municipality
Chennai - 600 077.
- 7 A.Sankar

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 2 to remove the intrusion made by respondents 6 and 7 in petitioner's patta land in Veeraraghavapuram Village in Survey

Nos.2/1A1A and 2/1A1B, Poonamallee Taluk, Thiruvallur District, considering petitioner's representation dated 14.02.2019 within a period stipulated time.

For Petitioner : Mr.G.J.Baskar Narayan

For Respondents : Mr.S.N.Parthasarathi
Government Advocate
for respondents 1 to 5

Mr.R.Mohandoss
for 6th respondent

No appearance
for 7th respondent

ORDER

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

The petitioner has filed the above writ petition to issue a writ of mandamus directing respondents 1 to 2 to remove the intrusion made by respondents 6 and 7 in petitioner's patta land in Veeraraghavapuram Village in Survey Nos.2/1A1A and 2/1A1B, Poonamallee Taluk, Thiruvallur District, considering petitioner's representation dated 14.02.2019 within a time frame.

2. Since the petitioner's prayer is with regard to his own property in Survey Nos.2/1A1A and 2/1A1B, stating that respondents 6 and 7 have encroached, the remedy open to the petitioner is not to file a writ petition under Article 226 of the Constitution of India and the remedy is only before a competent Civil Court.

In such view of the matter, we are not inclined to entertain the writ petition and, accordingly, the writ petition is dismissed. No costs. Consequently, W.M.P.No.9052 of 2019 is closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To:

- 1 The District Collector
Thiruvallur District
Thiruvallur - 602 001.
 - 2 The District Revenue Officer
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Water Resource Organization
Public Works Department
Kosathalaiyar Basin Division
Thiruvallur - 602 001.
 - 6 The Commissioner,
Thiruverkadu Municipality,
Chennai - 77
- +1 cc to Mr.G.J.Baskar Narayanan, Advocate, S.R.No.65409
- +1 cc to Mr.R.Mohandoss, Advocate, S.R.No.64889
- +1 cc to the Government Pleader, S.R.No.65490

सत्यमेव जयते

W.P.No.8536 of 2019

PM(CO)
SSM(26/08/2019)

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