

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 30.01.2019

CORAM :

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

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.3983 of 2018 and
W.M.P.Nos.4895 & 4896 of 2018

1.D.Mohan
2.S.Balakrishnan
3.E.Thanigaivel ... Petitioners

Vs.

- 1.The Secretary to Government,
Home Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The District Collector,
Tiruvallur District, Tiruvallur.
- 3.The Director General of Police,
Chennai.
- 4.The Chairman & Managing Director,
Tamil Nadu Police Housing Corporation Ltd.,
Chennai - 600 010.
- 5.The Commissioner of Police,
Chennai - 6.
- 6.The Revenue Divisional Officer,
Ambattur, Chennai.
- 7.The Tahsildar,
Ambattur, Chennai.
- 8.The Inspector of Police,
V-4, Rajamangalam Police Station,
Kolathur, Chennai - 600 099.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of mandamus to direct the respondents 1 to 7 to remove the encroachment made by the 8th respondent not to put up illegal construction in Survey No.122/1 Town Survey No.71, E-Block-32, Thathankuppam Village, Hamlet of Korattur Revenue Village, Villivakkam, Chennai by considering the representation made by the petitioners dated 16.08.2017.

For Petitioners : Mr.T.Sellapandian

For Respondents : Mr.V.Jayaprakash Narayanan,
Government Pleader (i/c)

O R D E R

(Order of the Court made by the Hon'ble Chief Justice
and M.Duraiswamy, J.)

The petitioners have filed the above Writ Petition to issue a Writ of mandamus to direct the respondents 1 to 7 to remove the encroachment made by the 8th respondent not to put up illegal construction in Survey No.122/1, Town Survey No.71, E-Block-32, Thathankuppam Village, Hamlet of Korattur Revenue Village, Villivakkam, Chennai by considering the representation made by the petitioners dated 16.08.2017.

2.It is the case of the petitioners that in Survey No.122/2, which is a Tank, the official respondents are trying to construct a Police Station by virtue of a Government Order in G.O.Ms.No.86 Home (Police X) Department dated 25.01.2017.

3.According to the petitioners, they gave a representation to the respondents not to put up construction in the Tank and also requested to remove the encroachment made by the adjoining land owners and also to remove the encroachment made by them in Survey No.122/1 by the 8th respondent.

4.The respondents 3, 5 & 8 filed a counter stating that the Government of Tamil Nadu had passed an order in G.O.Ms.No.86 dated 25.01.2017 and had sanctioned lands to construct Police Stations at various places which come under Chennai City Police West Zone. In continuation of the same, the 8th respondent had handed over the said land to the Tamil Nadu Police Housing Corporation Limited on 25.07.2017 to construct V-4 Rajamangalam Police Station. Further, the respondents have stated that as per the Revenue Records, the said land come under Gramanatham classification and not a Tank. Further, the land was transferred for the benefit of the general public.

5.The 7th respondent is his counter has stated that there is a Well and Water Tank in S.No.122/1. However, the same was not

transferred to the Police Department for construction of Police Station. Further, the 7th respondent has stated that the Well and Water Tank are under the maintenance of the Chennai Corporation.

6. In view of the averments stated in the counter affidavits filed by the respondents, we are not inclined to entertain the Writ Petition. Accordingly, the same is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

va

To

1. The Secretary to Government,
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Chennai - 600 009.
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Tiruvallur.
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+2ccs to Mr.R.Ganesh, Advocate, S.R.No.7894
+1cc to the Government Pleader, S.R.No.7852

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GP (CO)

rrs 05/03/2019



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