

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2019

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.14158 of 2019
and
W.M.P.No.14216 of 2019

Avuri Kollaimesu Srinivasa Perumal Koil Trust,
represented by its Founder/President,
N.Gunasekaran,
S/o.M.Natarajan Petitioner

vs.

1.The Tahsildar,
Tiruvottriyur Taluk,
Tiruvottriyur,
Chennai - 600019.

2.The Secretary to Government,
Revenue and Disaster Management Department,
Government of Tamil Nadu,
Fort St.George,
Chennai - 600009. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing respondents to furnish the details of the revisions pending before the second respondent in respect of the petitioner's land comprised in Survey Nos.1/11 and 1/17, Chinna Sekkadu Village, Tiruvottriyur Taluk, Tiruvallur District, to the petitioner herein, within a time frame, as may be fixed by this Court.

For Petitioner : Mr.R.Kamaraj

For Respondents: Mr.E.Manoharan
Additional Government Pleader

O R D E R

(Order of the Court made by S.VAIDYANATHAN, J)

Petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus directing respondents to furnish the details

of the revision petitions pending before the second respondent in respect of the petitioner's land comprised in Survey Nos.1/11 and 1/17, Chinna Sekkadu Village, Tiruvottriyur Taluk, Tiruvallur District.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3. The grievance expressed by the petitioner is that though an undertaking has been given by the first respondent/Tahsildar, Tiruvottriyur, duly signed by the Zonal Deputy Tahsildar, Tiruvottriyur, in March 2019, based on which Contempt Petition No.244 of 2019 was closed by order dated 21.03.2019, the encroachers have not been removed.

4. The prayer in the Writ Petition makes it clear that the petitioner has sought for copies of the Revision Petitions and not for removal of encroachment or non-compliance of the order of this Court in W.P.No.32480 of 2014 dated 10.02.2015 which resulted in filing of Contempt Petition No.244 of 2019. In the affidavit filed by the first respondent herein in Contempt Petition No.244 of 2019, it has been categorically stated that encroachers have been ordered to be evicted and decisions have been rendered against the encroachers. It is for the petitioner to make a necessary representation under the Right to Information Act towards collection of copies of revision petitions, which he is otherwise eligible as he is the complainant. For the aforesaid reasons, the relief sought for in the Writ Petition cannot be entertained by this Court.

The Writ Petition, accordingly, is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gm/gpa

To

1.The Tahsildar,
Tiruvottriyur Taluk,
Tiruvottriyur,
Chennai - 600019.

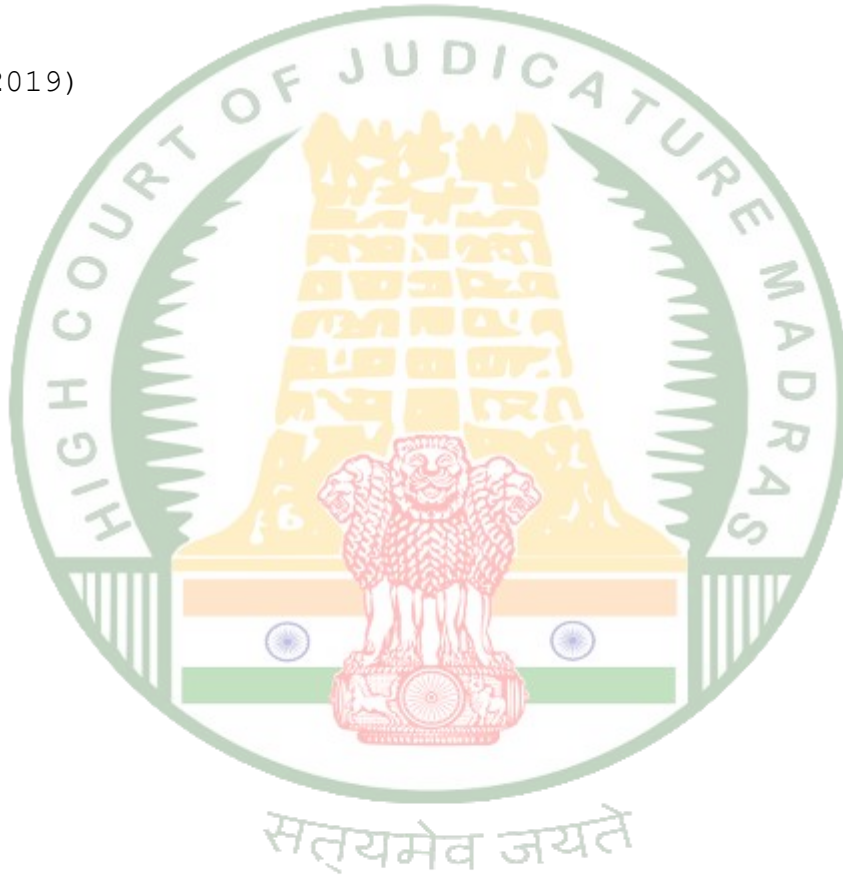
WEB COPY

2.The Secretary to Government,
Revenue and Disaster Management Department,
Government of Tamil Nadu,
Fort St.George,
Chennai - 600009.

+1cc to Mr.R.Kamaraj, Advocate, S.R.No. 43380
+1cc to the Government Pleader, S.R.No. 43409

W.P.No.14158 of 2019

KJI (CO)
GN(10/05/2019)



WEB COPY