

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.DURAIWAMY

W.P. No.14596 of 2018

B.Guna Sekar

.. Petitioner

-vs-

1.The State, Rep. by
The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Tahsildar,
Thiruporur Taluk,
Kancheepuram.

3.RukuManan

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1st and 2nd respondent to take action based on the petitioner's representation dated 28.12.2017 to remove the encroachment by the 3rd respondent within time fixed by this Court.

For Petitioner : Mr.Silambanan, Sr. Counsel
for Mr.S.Sugendran

For Respondents : Mr.V.Jayaprakash Narayanan
Govt. Pleader (i/c.) for RR 1 and 2

Mr.M. Bhuvaneswaran
for R3

O R D E R

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

The petitioner has filed the above writ petition to issue writ of mandamus directing the first and second respondents to consider the petitioner's representation dated 28.12.2017 to remove the encroachment by the 3rd respondent in Survey Nos.246/1 and 288 situated in Thandalam Village, Tirupporur Taluk,

Kancheepuram District.

2.It is the case of the petitioner that in spite of the representation given by him on 28.12.2017 to remove the encroachment, the official respondents have not removed the same.

3.The second respondent filed a status report dated 23.07.2019 wherein it has been stated that S.No.288 is a poramboke land and that the encroachments were removed in the said land. So far as S.No.246/1 is concerned, the second respondent has stated that it is a Grama Natham.

4.The learned counsel appearing for the petitioner has also admitted that the encroachment made in Survey No.288 was removed by the second respondent.

5.Since the land in S.No.246/1 is classified as Grama Natham in the revenue records, the same does not vest with the Government.

In such view of the matter, no further direction need be issued to respondents 1 and 2 in respect of Survey No.246/1 and 288. Accordingly, the writ petition is closed. No costs.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

sra

To

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Tahsildar,
Thiruporur Taluk,
Kancheepuram.

+2 Ccs to Mr.M. Bhuvaneshwaran, Advocate sr 65703.

+1 CC to The Govt. Pleader sr 66357.

W.P.No.14596 of 2018

CP(CO)

SP(22/08/2019)