

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN
W.P.No. 32460 of 2019

N.Saravana Prakash

... Petitioner

-vs-

1.The District Collector
1st Floor, Collectorate,
Thaiyur Kullam,
Kancheepuram, Tamil Nadu.

2.The Joint Commissioner of
Land & Administration, Ezhilagam,
Chepauk, Chennai.

3.The Revenue Divisional Office,
NH-32, Chitlapakkam,
West Tambaram, Tambaram,
Kancheepuram.

4.The Tahsildar,
Pallavaram, Kancheepuram,
Tamil Nadu.

5.The Commissioner of Municipality,
Pallavaram Division,
Pallavaram.

6.Dr.Ambedkar Public Social Welfare Association,
Duraikannu Salai, Main Road,
Zamin Pallavaram, Pallavaram.

... Respondents

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 07.08.2019 to remove the compound wall constructed illegally.

For Petitioner	..	Mr.Mohammed Aasif
For Respondents	..	Mr.P.S.Sivashanmugha Sundaram, Spl. Govt. Pleader for R1 to R4 Mr.P.Srinivas for R5

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

Mr.P.S.Sivashanmugha Sundaram, learned Government Pleader, takes notice for respondents 1 to 4. Mr.P.Srinivas, learned counsel takes notice for the fifth respondent.

2. The petitioner has made several representations which have been replied to, indicating that there indeed an encroachment in TS.No. 54/2 situated in Zamin Pallavaram, Pallavarm Taluk, Kancheepuram District. In fact, the communication sent by the Tahsildar, Pallavaram, namely, the fourth respondent in Na.Ka.No. 872/2019 dated 27.03.2019 clearly indicates the same. The petitioner made another representation on 25.06.2019. As there was no action even thereafter, a further representation was made on 07.08.2019 and thereafter, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner submitted that the fourth respondent in the communication dated 27.03.2019 has clearly stated that the encroachment will be removed after the general election in the year 2019. Now, the general election is also over. However, no action is initiated as of now. In such view of the matter, the fourth respondent will have to be directed to take appropriate action in the manner known to law.

4. Considering the above and without going into the merits of the case, we call upon the fourth respondent to take appropriate action pursuant to the communication dated 27.03.2019 sent by him after due notice to the petitioner, the sixth respondent and as well as any other encroacher with respect to the removal of encroachment in TS.No. 54/2 situated in Zamin Pallaaram, Pallavarm Taluk, Kancheepuram District, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector
1st Floor, Collectorate,
Thaiyur Kullam,
Kancheepuram, Tamil Nadu.
- 2.The Joint Commissioner of
Land & Administration, Ezhilagam,
Chepauk, Chennai.
- 3.The Revenue Divisional Office,
NH-32, Chitlapakkam,
West Tambaram, Tambaram,
Kancheepuram.
- 4.The Tahsildar,
Pallavaram, Kancheepuram,
Tamil Nadu.
- 5.The Commissioner of Municipality,
Pallavaram Division,
Pallavaram.
6. Dr.Ambedkar Public Social Welfare Association,
Duraikannu Salai, Main Road,
Zamin Pallavaram, Pallavaram.

+1cc to M/s.Mohammed Aasif, Advocate Sr.No.96831
+1cc to The Government Pleader Sr.No.97042
+1cc to M/s.P.Srinivas, Advocate Sr.No.97291

AKM/18.12.19 /3P-10C/

W.P.No. 32460 of 2019

सत्यमेव जयते

WEB COPY