

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.DURAIWAMY

W.P. No.34167 of 2017

S.Senthilkumar

.. Petitioner

-vs-

1. The Secretary to Government,
Government of Tamil Nadu,
Ministry of Animal Husbandry and Fisheries.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The Revenue Divisional Officer,
Maduranthakam,
Kancheepuram District.
4. The Tahsildar,
Cheyyur Taluk,
Kancheepuram District.
5. The Regional Joint Director,
Animal Husbandry Department,
Kancheepuram.
6. The Executive Officer,
Nerkunam Village Panchayat,
Kancheepuram District.

7.Venkatakrishnan alias Krishnan

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 6 to consider the representation of the petitioner dated 23.12.2017 by restraining the seventh respondent from further constructing the illegal construction on Survey No.9, Kadaperi Village, Nerkunam Panchayat obstructing the common pathway leading to the land of the petitioner and 10

other hut dwellers situated on Survey No.9 as per adangal extract.

For Petitioner : Mr.D.Padmapriya
for M/s.A.Ramesh

For Respondents : Mr.S.Kamalesh Kannan
Government Advocate
for respondent No.1 to 6
Mr.N.Nagu Sah
for respondent No.7

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Heard Mrs.D.Padmapriya, learned counsel for the petitioner; Mr.S.Kamalesh Kannan, learned Government Advocate for respondent Nos.1 to 6 and Mr.Nagu Sah, learned counsel for respondent No.7.

2. The prayer of the petitioner is that respondent Nos.1 to 6 be directed to consider the representation of the petitioner dated 23.12.2017 and restrain the respondent No.7 from putting up any further construction in Survey No.9, Kadaperi Village, Nerkunam Panchayat, pursuant to the orders of the Animal Husbandry Department, Kancheepuram, i.e., respondent No.5.

3. The learned Government Advocate stated that respondent No.5 i.e., Regional Joint Director, Animal Husbandry, Kancheepuram, is not going to put up construction in Survey No.9. In the affidavit filed in support of W.M.P.No.35464 of 2018, the Deputy Secretary to Government, Animal Husbandry, Dairying and Fisheries Department, Secretariat, Chennai-9, has stated that the construction is being put up only in Survey No.8. Thus, it is seen that no construction is being put up in Survey No.9. The learned Government Advocate also tendered a letter dated 25.07.2019 addressed by the Regional Joint Director, Animal Husbandry, Kancheepuram i.e., respondent No.5, to the Government Pleader, High Court, Chennai-104, wherein it is stated that no construction is being carried out in Survey No.9 and the construction work is in progress in Survey No.8 only. The said letter dated 25.07.2019 produced by the learned Government Advocate is taken on record.

4. In view of the above, the writ petition is closed. No costs. Consequently, W.M.P.Nos.37953 of 2017 and 35464 of 2018 are also closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Government of Tamil Nadu,
Ministry of Animal Husbandry and Fisheries.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The Revenue Divisional Officer,
Maduranthakam,
Kancheepuram District.
4. The Tahsildar,
Cheyyur Taluk,
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5. The Regional Joint Director,
Animal Husbandry Department,
Kancheepuram.
6. The Executive Officer,
Nerkunam Village Panchayat,
Kancheepuram District.

+1 cc to M/s.A.Ramesh, Advocate, S.R.No.64569

+1 cc to M/s.N.Nagu Sah, Advocate, S.R.No.64578

+1 cc to the Government Pleader, S.R.No.65491

W.P.No.34167 of 2017

VG-II(CO)
SSM(30/08/2019).