

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM :

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

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.28361 of 2018

V.Kalavathi

.. Petitioner

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Tahsildar,
Sholinganallur Taluk,
Sholinganallur, Chennai.

3.K.Gopu

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of mandamus to direct the respondents 1 & 2 to remove the encroachment made by the 3rd respondent in S.No.93/2 at Karapakkam Revenue Village, Sholinganallur Taluk, Kancheepuram District and leave the land for the use of pathway, cart track and road for general public by considering the petitioner's representation dated 06.02.2018.

For Petitioner : Mr.M.R.Jothimanian
for Mr.K.Balu

For Respondents : Mr.V.Jayaprakash Narayanan,
Government Pleader (i/c) (R1 & R2)

Mr.S.V.Jayaraman, Senior Counsel
for Mr.J.Arul Prakash (R3)

O R D E R

(ORDER OF THE Court WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition as a Public Interest Litigation to issue a Writ of mandamus to direct the respondents 1 & 2 to remove the encroachment made by the 3rd respondent in S.No.93/2 at

Karapakkam Revenue Village, Sholinganallur Taluk, Kancheepuram District and leave the land for the use of pathway, cart track and road for general public by considering the petitioner's representation dated 06.02.2018.

2.The 3rd respondent filed a counter stating that he has not encroached the Government Poramboke land and the construction is well within his property.

3.However, the learned Government Pleader (i/c) submitted that the 2nd respondent has already proceeded against the 3rd respondent in respect of the encroachment and based on the enquiry report, appropriate further action would be taken.

4.Since the official respondents have already commenced the enquiry as against the 3rd respondent, we do not find any reason to give further direction in this Writ Petition except stating that the official respondents shall take action with regard to the alleged encroachment in accordance with law.

5.With these observations, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS viii)

//True Copy//

Sub Assistant Registrar

va
To

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Tahsildar,
Sholinganallur Taluk,
Sholinganallur, Chennai.

+1 CC TO GOVERNMENT PLEADER SR.NO. 19966
+1cc to Mr.K.Balu , Advocate SR.No. 19281

W.P.No.28361 of 2018

A.SK(27/03/2019)