

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2019

CORAM :

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

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.30183 of 2018

R.Saraswathy

.. Petitioner

vs.

1.The Commissioner,
Chennai Corporation,
Rippon Building,
Chennai - 600 003.

2.The Commissioner of Police,
Vepery, Chennai-7.

3.The Zonal Officer,
Zone 7, Chennai Corporation,
Ambattur,
Chennai - 600 053.

4.Jothi

5.The Tahsildhar,
Ambattur Taluk,
Thiruvallur District.

.. Respondents

(Respondent No.5 impleaded vide order dated
23.01.2019 made in WMP.No.1715 of 2019)

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the 1st and 2nd respondent to take appropriate action and pass orders expeditiously in accordance with law on the petitioner's representation dated 14.09.2018 against the 4th respondent who had encroached the public property and illegally constructed the wall in front of petitioner's house.

For Petitioner : Mr.L.K.Charles Alexander

For Respondents: Mr.K.Soundararajan

for respondent Nos.1 and 3

Mr.V.Manohar

for respondent No.4

Mr.V.Jayaprakash Narayanan
Government Pleader (i/c)
for respondent Nos.2 and 5

O R D E R

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

The petitioner has filed the above Writ Petition to direct respondent Nos.1 and 2 to take appropriate action against respondent No.4, who had encroached the public property and illegally constructed the wall in front of the petitioner's house, based on the petitioner's representation dated 14.09.2018 and pass orders expeditiously in accordance with law.

2. It is the case of the petitioner that respondent No.4 had encroached the public property and illegally constructed a compound wall over the same.

3. The Tahsildar, Ambattur/respondent No.5 has filed the status report, wherein in paragraph 6, he has stated that respondent No.4 is residing in a patta land and during survey of the land, it was found that respondent No.4 had encroached in Ward-A, Block-7, R.S.No.26, Old Survey No.104 to an extent of 5 square feet (10 x ½) by putting up a compound wall with iron gate. Further, in the status report, it has been stated that there is 10 feet road in existence, but as per the revenue records the classification is Mandhaveli (Grazing Ground) Government Poramboke land, which is vested with Animal Husbandry Department.

4. The learned Government Pleader (i/c) appearing for respondent No.5 submitted that the authorities would take appropriate steps to remove the encroachment made by respondent No.4 in accordance with law.

5. Recording the submission made by the learned Government Pleader (i/c), we do not find any further direction need be issued to the authorities. Accordingly, the writ petition is closed. No costs.

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

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To

1.The Commissioner,
Chennai Corporation,
Rippon Building,
Chennai - 600 003.

2.The Commissioner of Police,
Vepery, Chennai-7.

3.The Zonal Officer,
Zone 7, Chennai Corporation,
Ambattur,
Chennai - 600 053.

4.The Tahsildhar,
Ambattur Taluk,
Thiruvallur District.

+1 CC to Mr.K.Soundararajan, Advocate sr 32298.

+1 CC to Mr.V.Manohar, advocate sr 31265.

+1 CC to Mr.L.K.Charles Alexander, Advocate sr 31434.

+1 CC to Govt. Advocate sr 31301

W.P. No.30183 of 2018

SSI (CO)
SP(08/05/2019)

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