

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2019

CORAM :

The Hon'ble Mrs.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.34567 of 2018

M.Gnanamani

.. Petitioner

-vs-

1.The District Collector,
Collectorate Campus,
Kancheepuram District,
Kancheepuram.

2.The District Revenue Officer,
Tambaram Taluk,
Kancheepuram District.

3.The Revenue Divisional Officer,
Tambaram,
Chennai - 600 45.

4.The Tahsildar,
Pallavaram Block,
Pallavaram,
Kancheepuram District.

5.The Executive Officer,
Town Panchayat Union,
St. Thomas Mount Panchayat Union,
Kancheepuram District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records in notification Na.Ka.No.2043/2017 dated 8.6.2018 on the file of the 4th respondent and quash the same.

For Petitioner : Mr.M.Kalyanasundaram
Senior Counsel
for M/s.R.Vasudevan

For Respondents : Mr.V.Jayaprakash Narayanan
Government Pleader (i/c)

ORDER

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

The petitioner has filed the above writ petition to issue a Writ of Certiorarified Mandamus to call for the records regarding the letter dated 08.06.2018 on the file of the fourth respondent and to quash the same.

2. By the letter dated 08.06.2018, the fourth respondent has called upon the fifth respondent to send a copy of the resolution passed by Pozhichalur Panchayat. Challenging this letter, the petitioner has filed the above writ petition.

3. The fifth respondent has filed the counter-affidavit, wherein it has been stated that the letter dated 08.06.2018 was issued by the Tahsildar, Pallavaram only to ascertain the nature of the property in Survey No.17/2, New Survey No.304/1 and no orders were passed as claimed by the petitioner. When the fifth respondent has specifically stated that no orders were passed as averred in the affidavit filed in support of the writ petition, no further direction need be issued to the authorities.

4. Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c) appearing for the respondents submitted that if the authorities come to the conclusion that there is an encroachment in the land in dispute, appropriate steps would be taken to evict the encroachers in accordance with law.

5. In view of the above, the writ petition is disposed of. No costs. Consequently, W.M.P.Nos.40093 and 40094 of 2018 are closed.

sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
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Kancheepuram District,
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4. The Tahsildar,
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Pallavaram,
Kancheepuram District.
5. The Executive Officer,
Town Panchayat Union,
St. Thomas Mount Panchayat Union,
Kancheepuram District.

+2cc to Mr.R.Vasudevan, Advocate, sr. no.48353

+1cc to Mr.V. Jaya prakash Narayanan, Advocate, sr. no.48494

+1cc to The Government Pleader, sr. no.48815

W.P.No.34567 of 2018

SPD(CO)

RMP(10/07/2019)

सत्यमेव जयते

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