

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.02.2020

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE MRS. JUSTICE R.HEMALATHA

WP.No.2355/2020 & WMP.No.2749/2020

A.Mohanraj

Petitioner

Versus

1.The Inspector General of Registration
Santhome High Road, Mylapore,
Chennai-600 004.

2.The District Collector
Kancheepuram District,
Kancheepuram.

3.The Tahsildar
Tambaram Taluk.

4.The Village Administrative Officer
VAO Office, Sembakkam Village.

Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of mandamus directing the respondents to take action to shift the planned new Sub Registrar Office building of Tambaram and Selaiyur from Maruthi Nagar Main Road, Opposite of Anjugam Ammaiyyar Park, Rajakilpakkam Village, Sembakkam to another place without causing encroachment on waterways and to the most convenient place for public.

For Petitioner : M/s.Eswar, Kumar and Rao

For R1 : Mr.T.M.Pappiah, Spl.GP

For RR 2 to 4 : Mr.R.Vijayakumar, AGP

ORDER

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

- (1) By consent, the writ petition is taken up for final disposal. Mr.T.M.Pappiah, learned Special Government Pleader accepts notice on behalf of the 1st respondent and Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice on behalf of respondents 2 to 4.
- (2) The writ petition is styled as a Public Interest Litigation and is filed by the petitioner, who is a resident of Rajakilpakkam, Selaiyur, Kancheepuram District and according to him, the land in S.No.39 is classified as a 'water body' as per the sketch / map pertains to Rajakilpakkam, Tambaram Taluk, Kancheepuram District.
- (3) It is the specific case of the petitioner that two buildings are being constructed to accommodate the offices of the Sub Registrars of Tambaram and Selaiyur and that apart, there are very many encroachments in the nearby vicinity.
- (4) The learned counsel for the petitioner would submit that the construction of the superstructures which is going to house the above said two Sub Registrars offices, would also block the water way and in this regard, a detailed representation dated 09.01.2020 has been submitted to the respondents and despite receipt and acknowledgment, no response is forth coming and hence, the petitioner is constrained to approach this Court by filing the present writ petition.
- (5) This Court heard the submissions of Mr.T.M.Pappiah, learned Special Government Pleader appearing for the 1st respondent and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for respondents 2 to 4 and also perused the materials placed before it.
- (6) Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in his representation or in this writ petition, directs the 3rd respondent to consider and dispose of the petitioner's representation dated 09.01.2020 on merits and in accordance with law after putting on notice, the person/s concerned. The entire exercise shall be carried out within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the person/s concerned.

(7)The writ petition stands disposed of accordingly. No costs.
Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector General of Registration
Santhome High Road, Mylapore,
Chennai-600 004.

2.The District Collector
Kancheepuram District,
Kancheepuram.

3.The Tahsildar
Tambaram Taluk.

4.The Village Administrative Officer
VAO Office, Sembakkam Village.

+1cc to Mr.Eswarkumar, Advocate Sr.7892

+1cc to the Government Pleader SR.8579, 9029

WP.No.2355/2020

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