

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.10.2020

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE MRS. JUSTICE R. HEMALATHA

WP.No.14433 of 2020
and WMP.No.17919 of 2020

C.Sampath

.. Petitioner

Versus

- 1.The District Collector,
Chengalpattu District,
Chengalpattu.
- 2.The Revenue Divisional Officer,
Tambaram,
Chengalpattu District,
Chennai 600 445.
- 3.The Tahsildar,
Pallavaram Taluk,
Pallavaram, Chennai 600 043.
- 4.The Commissioner,
Pallavaram Municipality,
Chrompet, Chennai 600 044.

5.B.Venkatesan

6.L.Krishnakumar

...Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachments made by the respondents 5 and 6 in S.No.50/236 (Part), classified as "Kulam Poramboke and Patta", situated at Zamin Pallavaram Village, Tambaram Taluk, Chengalpattu District.

For Petitioner : Mr.N.Muralikumar
for M/s.MC Gan Law Firm

For Respondents : Ms.R.J.Radhika
Government Advocate for R1 to R3

ORDER

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

The petitioner is an Ex-councilor of the 12th Ward, Zamin Pallavaram. Though he claims to be a social worker for more than 30 years, involving himself in various social activities for the welfare of the public, no material whatsoever have been placed in respect of the same. That apart, a perusal of his representation dated 16.06.2020, submitted to the 4th respondent would disclose that he belongs to ruling party.

2. The learned counsel appearing for the petitioner would submit that the land in S.No.50/236 (part) is classified as "Kulam Poromboke" (water body poromboke) as per revenue records and the private respondents had encroached upon the said land and started putting up constructions and despite the revenue officials calling upon him to not to do so, they are hurriedly proceeding with the construction and hence prays for appropriate orders.

3. This Court has considered the rival submissions and also perused the materials placed before it.

4. Admittedly, the petitioner belongs to Ruling party and a perusal of the representation dated 28.05.2020 submitted to the 2nd respondent would disclose that the respondents 5 and 6 are belonging to major opposition party. Apart from the said land in question, there are no other encroachments. It is also to be noted at this juncture that the petitioner is the Ex-chancellor and if at all, he is genuinely interested in removing the encroachments, it may be in respect of other encroachments in respect of

Pallavaram Municipality and however for the reasons best known to him, he filed this Public Interest Litigation against the respondents 5 and 6.

5. This Court taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner either in his representations or this Writ Petition, grants liberty to the petitioner to invoke the provisions of Right to Information Act to know about the fate of his representations dated 28.05.2020 and 16.06.2020 and as and when such informations are sought for, the Public Information Officers are directed to accord priority and give disposal as expeditiously as possible in accordance with law.

6. The Writ Petition stands disposed of, accordingly. No costs. Consequently connected Miscellaneous Petition is closed.

[M.S.N.,J] [R.H., J]
12.10.2020

Internet: Yes /No

Index: Yes/No

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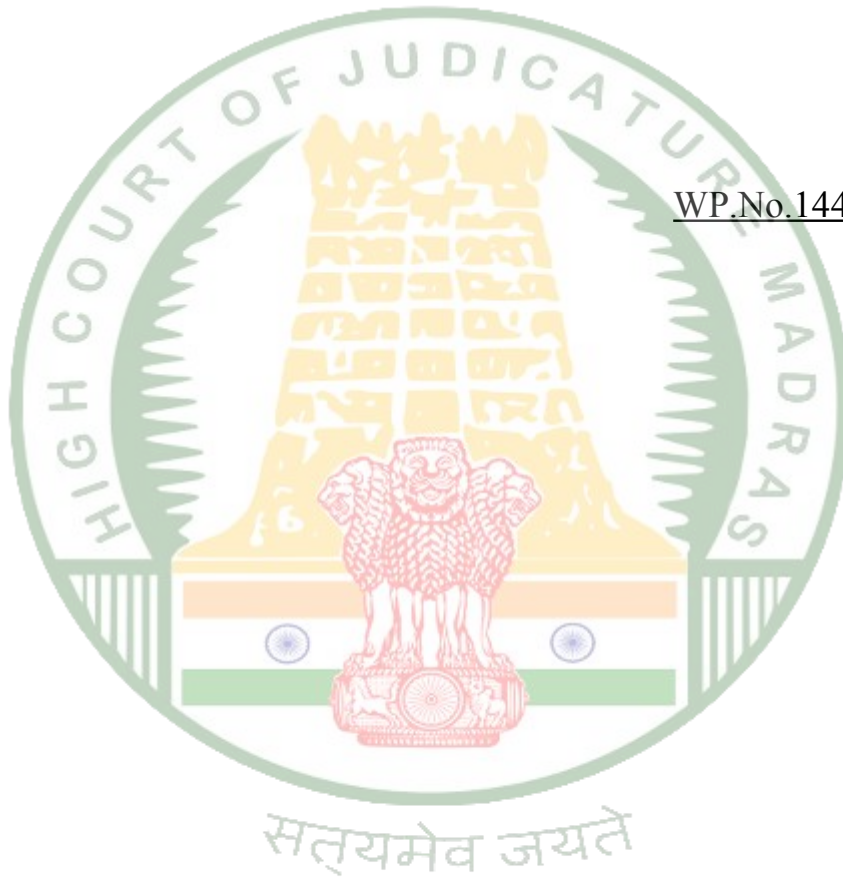
To

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M.SATHYANARAYANAN, J.
AND
R.HEMALATHA, J.
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