

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MRS. JUSTICE R.HEMALATHA

WP.No.17047/2020

Raja @ Rajareegam Pulichow

..Petitioner

Versus

1. The State of Tamil Nadu
rep.by the Secretary to Government
Department of Revenue,
Fort St George,
Chennai 600 009.
2. The District Collector,
Kanchipuram District
Kanchipuram 631 501.
3. The Tahsildar
O/o.The Tahsildar
Sriperumputhur 602 105
Kanchipuram District.
4. The Block Development Officer
O/o.BDO -[Village Panchayat]
Sriperumputhur 602 105.
Kanchipuram District.
5. The Village Administrative Officer
Office of VAO, Valarpuram Village 602 105.
Sriperumputhur Taluk
Kanchipuram District.
6. Daebu Automotive Seats India Pvt Ltd
No.492, Mannur Village,
Valarpuram Post, Pin 602105.
Sriperumputhur Taluk
Kanchipuram District.

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 5 to take necessary steps to remove the encroachments made by the 6th respondent herein to an

extent of 1.25 Acres of the Govt. oadai porambokku land wherein a canal is passes through and comprised Survey No.533 of Valarpuram Village, Sriperumputhur Taluk, Kanchipuram District.

For Petitioner : Mr.V.R.Appaswamee

For RR 1 to 5 : Ms.R.J.Radhika
Government Advocate

ORDER

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

- (1) By consent, the writ petition is taken up for final disposal and is disposed of by this order.
- (2) Ms.R.J.Radhika, learned Government Advocate accepts notice on behalf of the respondents 1 to 5.
- (3) The petitioner who is a resident of Valarpuram Village, Sriperumputhur Taluk, Kanchipuram District and would submit that as per the revenue records, the land in S.No.533 of the said village, is classified as 'Odai Poramboke' [water course] and the 6th respondent had encroached upon the same and putting up an unauthorised construction and thereby blocking the water way and the representation submitted in this regard, did not invoke any kind of response and therefore, is constrained to approach this Court by filing this writ petition.
- (4) The learned counsel for the petitioner has drawn the attention of this Court to the 'A' Register pertains to Valarpuram Village, which has been obtained under the provisions of the Right to Information Act and would submit that in the light of the fact that the land in S.No.533 is classified as 'Odai Poramboke', nobody is entitled to encroach upon the same and put up any construction and prays for appropriate orders.
- (5) This Court heard the submissions of Ms.R.J.Radhika, learned Government Advocate appearing for respondents 1 to 5 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 respondents 3 to 5 to put the 6th respondent on notice and with the aid of the relevant revenue records, to cause survey and inspection of the land in S.NO.533 of Valarpuram Village, Sriperumputhur Taluk, Kanchipuram District, and the result of the inspection reveals any infraction of law, Rules and Regulations, shall take immediate, necessary and appropriate action in accordance with law, by also adhering to the principles of natural justice, by putting the encroachers on notice, which may include the 6th respondent also and

complete the said exercise within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner, 6th respondent as well as any other person/s concerned.

(7) The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government
State of Tamil Nadu
Department of Revenue,
Fort St George,
Chennai 600 009.
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Kanchipuram District.

+2ccs to M/s.V.R.Appaswamee, Advocate, S.R.No.38974

+1cc to the Government Pleader, S.R.No.39063

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(CO)

RV(22/12/2020)