

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.18018 of 2020

and

WMP No.22366 of 2020

Jawaharlal

...Petitioner

.Vs.

1. The District Collector
Kancheepuram District, Kancheepuram
2. The Revenue Divisional Officer
Kancheepuram District, Kancheepuram
3. The Tahsildar
Kancheepuram Taluk, Kancheepuram District.
4. The Municipal Commissioner
Kancheepuram Municipality
Kancheepuram Town and Taluk.

...Respondents

This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents or their subordinates, agents or any other persons claiming on their behalf from putting up the construction of bus stop in the land comprised in Town S.No.1991 and 1992/ Part totally an extent of 715 Sq.ft situated at bearing Door No.1 New Door No.23B 1st Division T.K.Nambi Street in China Kanchipuram Village. Kanchipuram Taluk, Kancheepuram District based on the representation dated 15-07-2019.

For Petitioner : Mr.C.Prabakaran

For Respondents: Mr.E.Balamurugan

Special Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus forbearing the respondents from putting up any construction in the subject property belonging to the petitioner unless otherwise by due process of law.

2. The grievance of the petitioner is that the fourth respondent is illegally trying to put up a construction encroaching upon the property belonging to the petitioner in the

course of constructing a bus stop. Even though representation was made by the petitioner in this regard, it did not evoke any response and consequently, the present Writ Petition is filed before this Court.

3. Mr.E.Balamurugan, learned Special Government Pleader appearing on behalf of the respondents submitted that the construction of the bus stand is over and the construction was made only in the property belonging to the fourth respondent and no construction has been put up or will be put up in the property belonging to the petitioner. The learned counsel also circulated written instructions received from the fourth respondent in this regard along with photographs. The learned Special Government Pleader pointed out that there is a 5 feet gap between the bus stand that has been constructed and the property belonging to the petitioner.

4. Taking into consideration the facts and circumstances and recording the submissions of the learned Special Government Pleader, it is clear that the apprehension raised by the petitioner has been sufficiently safeguarded by the stand taken by the fourth respondent.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector
Kancheepuram District, Kancheepuram
2. The Revenue Divisional Officer
Kancheepuram District, Kancheepuram
3. The Tahsildar
Kancheepuram Taluk, Kancheepuram District.
4. The Municipal Commissioner
Kancheepuram Municipality
Kancheepuram Town and Taluk.

+lcc to Mr.C.Prabakaran, Advocate, S.R.No.40805

+lcc to the Government Pleader, S.R.No.40696

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