

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25/1/2021

C O R A M

THE HONOURABLE Mr.JUSTICE B.PUGALENDHI

Writ Petition No.1393 of 2021

and WMP.No.1570 of 2021

Eri Etti Elumalai @ Elumalai ... Petitioner

Vs

1. The Principal Chief Conservator of Forest
Head of the Department
Panagal Maaligai
No.1 Jeenis Road
Saidapet
Chennai 600 015.
2. The Chief Conservator of Forest
Chennai Circle - Chennai
No.259, III Floor
DMS Campus, Teynampet
Chennai 600 006.
3. The Forest Officer
Pallikaranai Wetland Protection Commission
O/o. The Chief Conservator of Forest
No.259, III Floor
DMS Campus, Teynampet
Chennai 600 006.
4. The Tahsildar
Solinganallur
Chennai.
5. The Village Administrative Officer
Pallikaranai Village
Pallikaranai
Chennai 600 100.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to forbear

the respondents from evicting or interfering or disturbing with the peaceful possession and enjoyment of the petitioner's landed property and erecting the compound wall situated in S.No.657/1A (Present Survey No.657/1A1) Pallikaranai Village, Sholinganallur Taluk, Chennai, totally to an extent of 1.25 acre except due process of law

For petitioner ... Mr.R.Surya Prakash

For respondents ... Mr.S.Prabhu
Additional Government Pleader
for R.R.1 to 3.

Mr.M.Elumalai
Additional Government Pleader
For R4 and R5
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O R D E R

This writ petition is filed to forbear the respondents from evicting or interfering or disturbing with the peaceful possession and enjoyment of the petitioner's landed property and erecting the compound wall situated in S.No.657/1A (Present Survey No.657/1A1) Pallikaranai Village, Sholinganallur Taluk, Chennai, totally to an extent of 1.25 acres.

2. The petitioner cannot make out a case, without ascertaining the boundary by measuring the land through the Surveyor and therefore, this writ petition is dismissed. Liberty is granted to the petitioner to approach the concerned Surveyor, for measuring the land and fix the boundaries and as and when the petitioner makes an application for measuring the land, fourth respondent shall take necessary steps to measure the land, within a period of four weeks, from the date of payment made by the petitioner, for measuring the land and to fix the boundaries. Even after fixing the boundaries, if anybody is trying to encroach the petitioner's property, the petitioner can very well approach the competent authority, in the manner known to law. No costs. Consequently, the connected Miscellaneous Petition No.1570 of 2021 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mvs.

To

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Pallikaranai
Chennai 600 100.

+1cc to the Government Pleader, S.R.No.4100

SMI (CO)
SM/22/02/2021

सत्यमेव जयते

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