

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Twenty Eighth day of April Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE M. SATHYANARAYANAN

AND

THE HON`BLE MRS.JUSTICE T.V.THAMILSELVI

WP NO.4049 OF 2021

D.SARASWATHY

[PETITIONER]

Vs

1 THE DISTRICT COLLECTOR
O/O. DISTRICT COLLECTOR,
KANCHEEPURAM DISTRICT

[RESPONDENTS]

2 THE DISTRICT REVENUE OFFICER,
OFFICE OF THE DISTRICT COLLECTOR,
KANCHEEPURAM

3 THE TAHSILDAR,
SRIPERUMBUDUR TALUK, KANCHEEPURAM DISTRICT

4 THE BLOCK DEVELOPMENT OFFICE
R,, KUNDRATHUR TALUK BLOCK DEVELOPMENT
OFFICER, PADAPPAL, KANCHEEPURAM DISTRICT

5 THE PRESIDENT,
MOWLIVAKKAM GRADE I PANCHAYAT,
MOWLIVAKKAM, CHENNAI 116

6 THE THASILDAR,
PALLAVARAM TALUK,
CHENGALPET DISTRICT

Writ Petition under article 226 of the Constitution of India praying that in these circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue writ in nature of writ of Mandamus directing the 6th respondent to comply with the order issued by the 2nd respondent dt 19.6.2019 thereby demolition the compound wall raised in S. No. 42/5 part in Mugalivakkam Village (WP.1049/2021)

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.K.M.ANAND, Advocate for the petitioner and of MR.S.KAMALESH KANNAN, GOVERNMENT ADVOCATE on behalf of the 1 TO 6 Respondents the court made the following order:-

(Order of the Court was made by N. KIRUBAKARAN,J.)

The matter, which is posted "For Reporting Compliance" is heard through videoconferencing.

2. This Court, while disposing of the writ petition, by order dated 24.02.2021, gave the following direction, which finds place at paragraph No.8 of the said order:

"8. The petitioner has also submitted a reminder representation. Therefore, the 1st respondent is directed to look into the matter and do the needful, especially, in the light of the directives issued by their office vide Memo dated 19.06.2019 in O.Mu.No.16421/2019/No.1 and complete the said exercise in accordance with law as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order/uploading the order in the website and communicate the decision taken, to the petitioner. "

3. When the matter is called today, a compliance report has been filed by the 4th respondent wherein it has been stated in paragraph No.3 that field measurements have been carried on by Firca Surveyor, Kolapakkam on 05.03.2021 in the presence of Village Panchayat Secretary, Mowlivakkam and the petitioner. The survey revealed that about 2695 sq.ft of land owned by the petitioner has been encroached by way of construction of a compound wall to the adjacent burial ground. The details of the said wall is as follows:

East to West northern side	- 76 feet
East to West Southern Side	- 78 feet
North to South Eastern Side	- 26 feet
North to South Western Side	- 44 feet
Total	2695 sq.ft.

4. It is evident from the compliance report that the compound wall has been constructed encroaching upon the petitioner's property to an extent of 2695 sq.ft by the Panchayat. Since it is stated that the 4th respondent has put up the compound wall, the 3rd, 4th and 5th respondents are directed to remove the encroachment, namely, the compound wall constructed encroaching upon the petitioner's property on or before 15.05.2021 and file a report before this Court by 03.06.2021 along with photographs.

5. For filing of report along with photographs, call the matter on 03.06.2021.

-sd/-
28/04/2021
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT COLLECTOR
O/O. DISTRICT COLLECTOR,
KANCHEEPURAM DISTRICT

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OFFICE OF THE DISTRICT COLLECTOR,
KANCHEEPURAM

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Order
in
WP.4049/2021

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Date :28/04/2021

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