

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.5605 of 2021

K.Jothilingam

.. Petitioner

Vs.

1. The District Collector,
Thiruvallur District.
2. The District Revenue Officer,
O/o District Revenue Office,
Thiruvallur.
3. The Revenue Divisional Officer,
Ponneri.
4. The Tasildhar,
Gummidipoondi.
5. S.Gandhi,
S/o Selvam,
Bondhavakkam Village,
Gummidipoondi Division,
Thiruvallur District.
6. The Block Development Officer,
Gummidipoondi

.. Respondents

(6th respondent impleaded suo motu
by the Court)

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus directing the respondents 3 and 4 to remove the encroachment made by the 5th respondent in S.No.37/62, Ponthavakkam Village, Gummidipoondi pursuant to second respondent's proceedings in Na.Ka.No.7663 /2020/A2 dated 20.03.2020 and on the basis of his representation dated 03/06.03.2020

For Petitioner : Mrs.N.R.Jasmine Padma

For Respondents: Mr.G.K.Muthukumar,
R1 to R4 Special Government Pleader

ORDER
(made by SENTHILKUMAR RAMAMOORTHY, J.)

The petitioner complains of encroachment by the fifth respondent in S.No.35/62, Ponthavakkam Village, Gummidipoondi. It is asserted that representations have been submitted in connection with the aforesaid encroachment but that remedial action has not been taken till date.

2. Mr.G.K.Muthukumar, learned Special Government Pleader accepts notice for all official respondents and states that the land in question is classified as 'grama natham' as per the relevant village "A" register. He further states that it comes within the jurisdiction of the Block Development Officer, Gummidipoondi. Therefore, the Block Development Officer, Gummidipoondi, is suo motu added as a party respondent to this petition.

3. Learned Special Government Pleader further states that a report with regard to the encroachment has already been sent by the Tahsildar, Gummidipoondi, to the Block Development Officer, Gummidipoondi, so as to take necessary action.

4. In view of the aforesaid submissions, W.P.No.5605 of 2021, is disposed of by directing the Block Development Officer, Gummidipoondi, to consider and pass orders on the representation dated 11.11.2020 within a period of eight weeks from the date of receipt of a copy of this order after providing a reasonable opportunity to all parties affected thereby, including the fifth respondent herein. Such reasoned order shall be communicated to the petitioner and other parties affected thereby. There will be no order as to costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To:

1. The District Collector,
Thiruvallur District.
2. The District Revenue Officer,
O/o District Revenue Office,
Thiruvallur.

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3. The Revenue Divisional Officer,
Ponneri.

4. The Tasildhar,
Gummidipoondi.

5. The Block Development Officer,
Gummidipoondi.

+lcc to Mr.L.Chandra Kumar, Advocate, S.R.No. 14746

+lcc to the Government Pleader, S.R.No. 15204

W.P.No.5605 of 2021

PMK (CO)
GN (29/03/2021)



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