

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.04.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.8182 of 2019

Makkal Vzhiurimai Sankam,
Reg. No.92/2018
rep. by its Founder S.Raja,
No.29, Kacheri salai, Ponneri,
Ponneri Taluk,
Thiruvallur District.

... Petitioner

-vs-

- 1.The District Collector,
Thiruvallur District,
Thiruvallur.
- 2.The Revenue Divisional Officer,
Ponneri, Thiruvallur District.
- 3.The Tahsildhar,
Ponneri Taluk, Thiruvallur District.
- 4.Velammal Educational Trust,
rep. by its Chairman,
Velammal New-Gen Park,
Dr.Vikram Sarabhai Block,
Ambattur-Redhills Road,
Chennai-600 066.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 3 to remove the encroachments made by the 4th respondent in Survey Number 176/2 and 176/3 at Pancheti, Thachur-II Village, Ponneri Taluk, Thiruvallur District based on petitioner's representation dated 18.05.2018.

For Petitioner : Mr.G.Gayathri

For Respondents : Mr.K.S.Suresh
Government Advocate
for respondent Nos.1 to 3

: Mr.S.V.R.Subramanian
for M/s.N.Raja Senthoo
Pandian
for respondent No.4

ORDER

(Order of the Court was made by Senthilkumar Ramamoorthy, J.)

The petitioner complains of the alleged encroachments by the fourth respondent in S.Nos.176/2 and 176/3 at Panchati, Thachur-II Village, Ponneri Taluk, Thiruvallur District.

2. It is stated that Ponneri Taluk has several waterbodies and that the fourth respondent, which is running various educational institutions under different names, has encroached on the lands specified in the aforementioned survey numbers to an extent of 20 acres 40 cents. In spite of submitting representations in this connection, no action has been taken by the official respondents.

3. The aforesaid contentions are refuted by learned counsel appearing for the fourth respondent.

4. Learned Government Advocate represents respondents 1 to 3 and submits that the third respondent would be the appropriate authority to consider and dispose of the petitioner's representation.

5. In the aforesaid facts and circumstances wherein the contentions of the petitioner are strongly refuted by the contesting fourth respondent, we do not propose to examine the merits of the matter. Instead, the third respondent is directed to consider the representation dated May 18, 2018 of the petitioner and dispose of the same by a reasoned order after providing a reasonable opportunity to all parties affected by such order, including the petitioner and the fourth respondent. Such reasoned order shall be passed within a period of eight weeks from the date of receipt of a copy of this order.

6. W.P.No.8182 of 2019 is disposed of on the above terms.
There will be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

- 1.The District Collector,
Thiruvallur District,
Thiruvallur.
- 2.The Revenue Divisional Officer,
Ponneri,
Thiruvallur District.
- 3.The Tahsildhar,
Ponneri Taluk,
Thiruvallur District.

+1cc to the Government Pleader Sr.26026

W.P.No.8182 of 2019

pvs[co]
srg 18/06/2021

सत्यमेव जयते
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