

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P.No.13732 of 2021

B.Thirumalai

.. Petitioner

Vs.

1.The Commissioner of Land Administration,
Chepauk, Chennai 600 005.

2.The District Collector,
Tiruvallur District,
Tiruvallur 602 001.

3.The Revenue Divisional Officer,
Ponneri Taluk, Tiruvallur District.

4.Tahsildar,
Ponneri Taluk,
Ponneri 601 204, Tiruvallur District.

5.Integrated Chennai Business Park
(India) Private Limited,
Vallur Village, Ponneri Taluk,
Tiruvallur District 600 103.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 1 to 4 to take necessary legal action to remove the encroachment in the Government Kalam porambokku land situated at Survey No.1223, No.144 Vallur Village, Ponner Taluk, Thiruvallur District in accordance with law within the time frame fixed by this Court.

For Petitioner : Mr.R.Prasadh

For Respondent : Mr.P.Muthukumar
Counsell for State, for RR 1 to 4

* * * * *

ORDER

(Made by Senthilkumar Ramamoorthy, J.)

The petitioner complains of alleged encroachment by the fifth respondent in the Government Kalam poramboke land situated at S.No.1223, No.144, Vallur Village, Ponneri Taluk, Tiruvallur District.

2. The petitioner states that the fifth respondent, in collusion with revenue officials, has encroached upon the Government land in the aforesaid survey number and has constructed a compound wall, thereby impeding access to such land by the villagers. Upon submission of repeated representations to respondents 1 and 2, the petitioner states that the fourth respondent was directed to take action by communication dated 19.08.2019. Since no action was taken, repeated representations were submitted, but to no avail. The petitioner states that the writ petition was filed in these facts and circumstances.

3. Mr.P.Muthukumar, learned counsel for the State, accepts notice for respondents 1 to 4 and states that the Tahsildar will consider and dispose of the representation of the petitioner within a reasonable time-frame.

4. Accordingly, without going into the merits of the matter, the fourth respondent Tahsildar is directed to consider the representation dated 03.06.2020 of the petitioner and dispose of the same by a reasoned order, after providing a reasonable opportunity both to the petitioner and to the fifth respondent. Such reasoned order shall be passed within a period of eight weeks from the date of receipt of a copy of this order. On account of the fact that the Tahsildar has been directed to hear the fifth respondent before taking a decision, the writ petition is being disposed of without notice to the private respondent.

W.P.No.13732 of 2021 is disposed of in these terms without any order as to costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

sra

To:

1.The Commissioner of Land Administration,
Chepauk, Chennai 600 005.

2.The District Collector,
Tiruvallur District,
Tiruvallur 602 001.

3.The Revenue Divisional Officer,
Ponneri Taluk, Tiruvallur District.

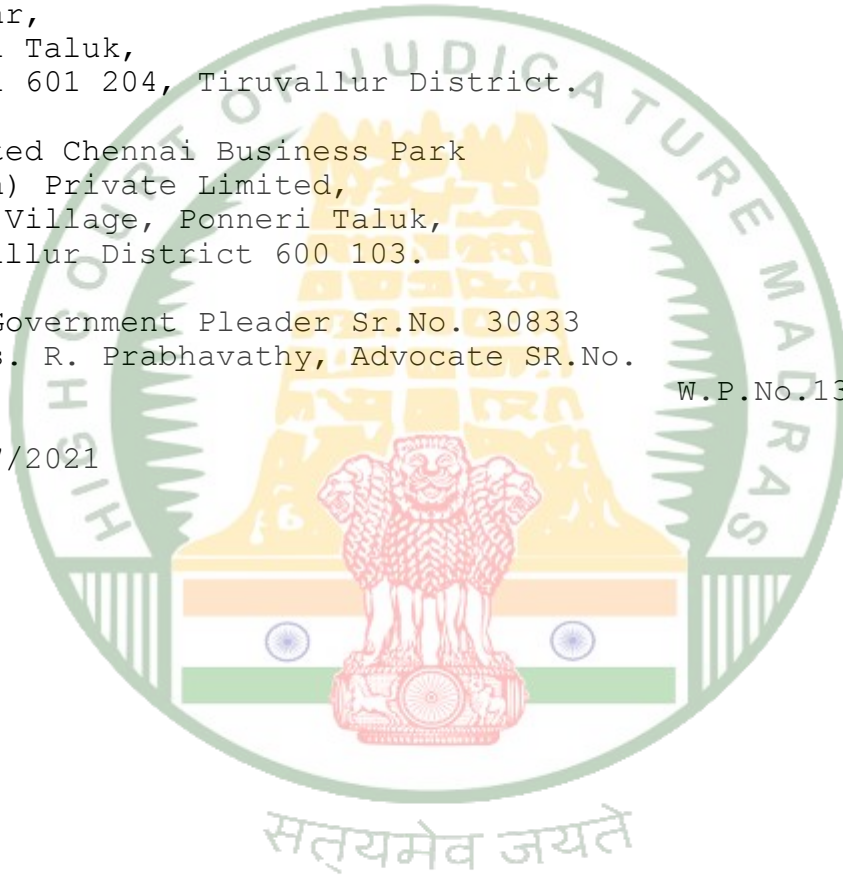
4.Tahsildar,
Ponneri Taluk,
Ponneri 601 204, Tiruvallur District.

5.Integrated Chennai Business Park
(India) Private Limited,
Vallur Village, Ponneri Taluk,
Tiruvallur District 600 103.

+1 cc to Government Pleader Sr.No. 30833
+1cc to Ms. R. Prabhavathy, Advocate SR.No.

W.P.No.13732 of 2021

SSN (CO)
A.SK 12/07/2021



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