



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.14826 of 2021

M.N.Saravanan

.. Petitioner

Vs

- 1 The Collector
Office of the Chennai Collector
No.62, Rajaji Salai, Fourth Floor
Chennai - 600 001.
- 2 The Tahsildar
Tahsildar Office
Perambur
Chennai - 600 011.
- 3 The Managing Director
Tamilnadu Slum Clearance Board
No.5, Kamarajar Salai
Chepauk, Chennai- 600 005.
- 4 The Commissioner
Chennai Corporation
No.1131 Rippon Building
EVR Periyar Salai, Park Town
Chennai - 600 003.
- 5 The Commissioner of Police
Office of the commissioner of Police
No.132, EVK Sampath Salai
Vepery, Chennai - 600 007.
- 6 Mangalam

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 1 to 5 to remove the encroachment of the 6th respondent at the edge of the 18th Street Corner, Vyasarpadi, B.V.Colony, Chennai - 600 039 in an area of 2000 Sq. Feets approximately comprised in Old



Survey No.779/66, Block No.42, Perambur Village, Perambur Taluk, Chennai District and within the limits of Chennai Corporation.

WEB COPY

For Petitioner : Mr.M.Ravikumar

For Respondents : Mr.P.Muthukumar
Counsel for the State
for respondents 1, 2 and 5

: Mr.M.Rajasekar
for 3rd respondent

: Ms.Karthika Ashok
Sr.SC (Corporation)
for 4th respondent

ORDER

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

The petitioner complains of alleged encroachment by the sixth respondent in Survey No.779/66, Block No.42, Perambur Village, Perambur Taluk, Chennai District.

2. The petitioner states that an area admeasuring 2000 square foot in the aforesaid survey number was previously used for the purposes of a Sub-Fire and Rescue Service Station. By taking advantage of the fact that the said Sub-Fire and Rescue Service Station became inoperational at the said premises, it is alleged that the sixth respondent herein, who resides at an adjacent location, has encroached upon the said land. According to the petitioner, a spot inspection was conducted some time in 2018, and it was concluded that the land belongs to the Tamil Nadu Slum Clearance Board and had been encroached upon by the sixth respondent herein. The petitioner states that in spite of submitting multiple representations in this connection, the encroachment has not been removed so far.

3. Mr.P.Muthukumar, learned counsel for the State, accepts notice for respondents 1, 2 and 5.

4. Ms.Karthika Ashok, learned Senior Standing Counsel (Corporation), accepts notice for the fourth respondent.

5. Mr.M.Rajasekar, learned counsel, accepts notice for the third respondent herein and states that the petitioner's



representation would be considered and disposed of expeditiously.

6. Accordingly, without going into the merits of the matter, the petitioner is permitted to carry a fresh representation to the Executive Engineer, Tamil Nadu Slum Clearance Board, No.5, Kamarajar Salai, Chepauk, Chennai-600 005 within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the Executive Engineer, Tamil Nadu Slum Clearance Board, No.5, Kamarajar Salai, Chepauk, Chennai-600 005 is directed to consider and dispose of the said representation by a reasoned order within a period of eight weeks from the date of receipt thereof after providing a reasonable opportunity both to the petitioner and the sixth respondent. On account of the fact that the merits of the matter have not been examined and because the Executive Engineer, Tamil Nadu Slum Clearance Board has been directed to hear the sixth respondent before passing orders, the writ petition is disposed of without notice to the sixth respondent.

7. W.P.No.14826 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

bbr

To

- 1 The Collector
Office of the Chennai Collector
No.62, Rajaji Salai, Fourth Floor
Chennai - 600 001.
- 2 The Tahsildar
Tahsildar Office
Perambur
Chennai - 600 011.
- 3 The Managing Director
Tamilnadu Slum Clearance Board
No.5, Kamarajar Salai
Chepauk, Chennai- 600 005.



WEB COPY

4 The Commissioner
Chennai Corporation
No.1131 Rippon Building
EVR Periyar Salai, Park Town
Chennai - 600 003.

5 The Commissioner of Police
Office of the commissioner of Police
No.132, EVK Sampath Salai
Vepery, Chennai - 600 007.

6 The Executive Engineer,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chepauk, Chennai - 600 005.

+1cc to Mr.M.Raja Sekhar, Advocate, S.R.No.34252

W.P.No.14826 of 2021

AK-II(CO)
SB(02/08/2021)