

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.11347 of 2021

S.Dhamodharan

.. Petitioner

-vs-

- 1.The State of Tamil Nadu,
rep. by its Secretary,
Revenue Department,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The District Collector,
Office of District Collector,
Kanchipuram - 631 501.
- 3.The Revenue Divisional Officer,
Office of Revenue Divisional Officer,
6/114, Pattnoolchathram,
Sriperumbudur,
Tamil Nadu - 602 105.
- 4.The Tahsildar,
SH 57, Ramanujar Nagar,
Sriperumbudur,
Tamil Nadu - 602 105.
- 5.The Block Development Officer,
Sarala Nagar, Kanchipuram,
SH-110, Kodambakkam Sriperumbudur Road,
Kanchipuram, Kanchipuram-602 105.

6.Jayaraman

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 5 to remove the encroachments in Old S.No.351, New S.No.488/10, 488/12, 488/13 at 1/5 Molagala Amman Kovil Street, Vallakottai, Vallam, Mathur, Sriperambathur.

For Petitioner

: Mr.L.P.Maurya

For Respondents

: Mr.V.Jayaprakash Narayanan
State Government Pleader
for respondent Nos.1 to 5

ORDER

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

The petitioner complains of encroachments in Old S.No.351, which corresponds to the New S.Nos.488/10, 488/12, 488/13 at 1/5, Molagala Amman Kovil Street, Vallakottai Vallam, Mathur, Sriperumbudur.

2. It is asserted by the petitioner that the aforesaid land is classified as Sarkar poramboke in the revenue records, but that the sixth respondent has commenced construction of a Kalyanamandapam without a plan sanction from the fifth respondent. The writ petitioner states that along with the other inhabitants of the village in question, respondents 2 and 5 were approached on several occasions to point out the aforesaid violations. It is also stated that a representation was submitted on February 6, 2021 by R.Jagadeshwari and thereafter by the petitioner on April 17, 2021, but that no action has been taken thereon.

3. Mr.V.Jayaprakash Narayanan, learned State Government Pleader, accepts notice on behalf of respondents 1 to 5 and states that the Tahsildar, Sriperumbudur would be the appropriate authority to consider and dispose of the petitioner's representation.

4. Accordingly, without going into the merits of the dispute, the petitioner is permitted to submit a fresh representation to the fourth respondent within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the fourth respondent is directed to consider and dispose of such representation by a reasoned order after providing a reasonable opportunity to all parties affected thereby, including, in particular, the sixth respondent herein. In view of the fact that the merits of the matter have not been considered and because the fourth respondent has been directed to hear the sixth respondent before passing orders, the writ petition is being disposed of without notice to the sixth respondent.

5. W.P.No.11347 of 2021 is disposed of on the above terms. There will be no order as to costs. Consequently, W.M.P.No.11991 of 2021 is closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To:

- 1.The Secretary,
State of Tamil Nadu,
Revenue Department,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The District Collector,
Office of District Collector,
Kanchipuram - 631 501.
- 3.The Revenue Divisional Officer,
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- 5.The Block Development Officer,
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SH-110, Kodambakkam Sriperumbudur Road,
Kanchipuram, Kanchipuram-602 105.

+1cc to M/s.L.P.Maurya, Advocate, S.R.No.26583
+1cc to the Government Pleader, S.R.No.26806

W.P.No.11347 of 2021

AD(CO)
CB(18/06/2021)