



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.13315 of 2021

M.Natarajan

.. Petitioner-in-person

Vs.

1. The District Collector,
Kundrathur Taluk,
Kancheepuram District.
2. The Tahsildar,
Kundrathur Taluk,
Kancheepuram District.
3. The Commissioner,
Kundrathur Panchayat Union,
Kundrathur Taluk,
Kancheepuram District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents to recover and to remove the encroachment in S.No.7/5 admeasuring 12 acres and S.No.7/7 admeasuring 12.5 acres along with 40,000 sq. ft. and also adjacent poramboke lands 62 மாணிய பூதான இயக்கம், சென்னை all are situated in Village No.52, Moulicakkam, Kundrathur Taluk, Kancheepuram District.

For Petitioner : Mr.M.Natarajan
Party-in-person

For Respondents : Mr.P.Muthukumar
Counsel for the State
for respondent Nos.1 and 2



ORDER

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

The petitioner alleges that the former President of Moulivakkam Panchayat has encroached upon lands at S.No.7/5 admeasuring about 12 acres and S.No.7/7 admeasuring about 12.5 acres in Village No.52, Moulivakkam, Kundrathur Taluk, Kancheepuram District.

2. The petitioner alleges that Mr.Sadasivam, who was the President of Moulivakkam Panchayat earlier, has encroached upon government lands in the aforementioned survey numbers. In spite of submitting multiple representations from the year 2015 onwards, the official respondents have failed to take any action.

3. Mr.P.Muthukumar, learned counsel for the State, accepts notice for respondents 1 and 2 and states that the second respondent - Tahsildar, Kundrathur Taluk would consider and dispose of the petitioner's representation.

4. Accordingly, without going into the merits of the matter, the second respondent - Tahsildar, Kundrathur Taluk is directed to consider the representation of the petitioner dated 16.12.2020 and dispose of the same by a reasoned order within a period of eight weeks from the date of receipt of a copy of this order after providing a reasonable opportunity of hearing both to the petitioner and to any others affected thereby.

5. W.P.No.13315 of 2021 is disposed of in terms aforesaid. There will be no order as to costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To:

1. The District Collector,
Kundrathur Taluk,
Kancheepuram District.
2. The Tahsildar,
Kundrathur Taluk,
Kancheepuram District.



3. The Commissioner,
Kundrathur Panchayat Union,
Kundrathur Taluk,
Kancheepuram District.

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+ 2 ccs Mr.M.Natarajan, Advocate Sr.35727 (27/08/2021)
+ 1 cc to Government Pleader Sr.35937 (27/08/2021)

W.P.No.13315 of 2021

SR II (CO)
BE (29/07/2021)