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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2021

CORAM :

THE HON'BLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

W.P.NO.16767 OF 2021

Kannammal ... Petitioner

Vs

1.The District Collector,
The District Collector Office,
Ranipet District – 632 401.

2.The Tahsildar,
Walaja Taluk,
Ranipet District.

3.The Village Administrative Officer (VAO),
The Village Administrative Office,
Ranipet District – 632 509. ... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance a Writ of Mandamus, directing the Respondents to consider the petitioner's representation dated 28.12.2020 and further direct the 2nd Respondent to remove the houses constructed by way of encroachment in Village lake named as 'Kanagarayar Neerveelzhi" situated at Survey No.77, Kathiyadi Village, Walajah Taluk, Ranipet District.

For Petitioner : Mr.S.Silambuselvan.

For Respondents : Mr.P.Balathandayutham,
Government Advocate.

O R D E R

(Order of the Court was delivered by N.KIRUBAKARAN, J)

The matter has been heard through "Video Conference".

2.The Petitioner has come before this Court seeking Writ of Mandamus to consider and pass orders on Petitioner's representation dated 28.12.2020, in which the Petitioner sought

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for removal of the houses constructed in the pathway of the Village lake named 'Kanagarayar Neerveezhchi' at S.No.77 of Kathiyavadi Village, Walajah Taluk, Ranipet District.

3.The Petitioner would contend that he is the resident of the said Village and he is using the said pathway which leads him to his lands. The said land which has been used as pathway has been encroached upon by the encroachers by constructing houses and they are preventing the Petitioner from reaching his lands and the villagers to reach the said lake. In this regard, the Petitioner gave representation dated 28.12.2020. Since no action has been taken, the Petitioner has come before this Court.

4.Heard Mr.S.Silambuselvan, Learned Counsel for the Petitioner and Mr.P.Balathandayutham, Learned Government Advocate for the Respondents.

5.Since the Petitioner contends that pathway in S.No.77 of Kathiyadi Village, Walajah Taluk, Ranipet District has been encroached, the Second and Third Respondents are directed to make joint inspection after giving notice to the Petitioner as well as to any other person who is interested and verify as to whether pathway comprised in S.No.77 of Kathiyadi Village, Walajah Taluk, Ranipet District has been encroached and if encroachment is made by any of the parties including the Petitioner, the Respondents are directed to take necessary action after following the due process of law within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
The District Collector Office,
Ranipet District – 632 401.

2.The Tahsildar,
Walaja Taluk,
Ranipet District.

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3.The Village Administrative Officer (VAO),
The Village Administrative Office,
Ranipet District - 632 509.

+1cc to Mr.S.Silambuselvan , Advocate, S.R.No.39941
+1cc to the Government Pleader, S.R.No.40384

W.P.No.16767 of 2021

GPL(CO)
PM/14/09/2021

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