



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM  
and

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.16600 of 2020

Mohamed Feroz S.N

...Petitioner

Vs.

1. The District Collector, Chennai,  
Collectorate of Chennai,  
Singaravelar Maaligai,  
62, Rajaji Salai, Chennai - 600 001.
2. The District Revenue Officer,  
Land and Estate Department,  
Greater Chennai Corporation,  
Ripon Building, Chennai - 600 003.
3. The Zonal Officer (Zone 15, Sholinganallur),  
Greater Chennai Corporation,  
No.120, Rajiv Gandhi Salai,  
Old Mahabalipuram Road,  
Sholinganallur, Chennai - 600 119.
4. The Tahsildar (Sholinganallur),  
No.1, Rajiv Gandhi Salai,  
1st Cross Street, Sholinganallur,  
(Near Top City Hotel),  
Kumaran Nagar, Chennai - 600 119.
5. The Village Administrative Officer,  
Greater Chennai Corporation (Ward 185),  
Panchayat Office,  
East Coast Road, Palavakkam,  
Chennai - 600 041.
6. Nancy
7. T.K.Dhamodharan
8. M.Charles

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents 1 to 5 to consider the petitioner's Letter of Representation dated 20.03.2020, to consequently direct the respondent Nos.1 to 5 to conduct proceedings against the respondent Nos.6 to 8 under the Tamil Nadu Land Encroachment Act, 1905, pertaining to encroachments on the Cart Track Road situated to the North of the property comprised in Survey No.9/2B, No.145, Neelankarai Village, Sholinganallur Taluk, Kancheepuram District in a time-bound manner.

For petitioner : Mr.Vadhana Bhaskar

For respondent : Mr.T.N.C.Kaushik  
Govt. Advocate for R1,R2,R4,R5  
Mr.K.Raja Srinivas  
Senior Standing Counsel for R3  
No Appearance for R6 and R7

#### ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J)

The petitioner seeks a direction to the respondents 1 to 5 to consider his representation dated 20.03.2020.

2. The petitioner would claim that the property in S.No.9/2B measuring an extent of 0.33 cents, Neelankarai Village, Solinganallur was purchased by the petitioner's mother viz., Mrs.M.Nilofer and the north side of the said property was demarcated as public pathway. It is alleged that the private respondents has encroached upon the Cart Track and put up construction without planning permission.

3. The learned counsel appearing for the petitioner would state that it would suffice if the 4<sup>th</sup> respondent is directed to consider the representation of the petitioner.

4. Mr.T.N.C.Kaushik, learned Government Advocate, appearing for the respondents 1,2,4 and 5 would state that the 4<sup>th</sup> respondent is the competent authority and he is ready to consider the representation of the petitioner.



5. Mr.K.Raja Srinivas, learned Senior Standing Counsel appearing for the 3<sup>rd</sup> respondent would state that action was already initiated against the private respondents and the 8<sup>th</sup> respondent has filed writ petition in W.P.No.16810 of 2021 challenging the lock and seal and de-occupation notice.

6. In the light of the above submissions of the learned counsel, this Court without expressing any opinion on the merits of the matter, directs the 4<sup>th</sup> respondent to consider the representation of the petitioner dated 20.03.2020 and take action in accordance with law, after affording opportunity of personal hearing to all the necessary parties, within a period of three months from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector, Chennai,  
Collectorate of Chennai,  
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2. The District Revenue Officer,  
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3. The Zonal Officer (Zone 15, Sholinganallur),  
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Old Mahabalipuram Road,  
Sholinganallur, Chennai - 600 119.



4. The Tahsildar (Sholinganallur),  
No.1, Rajiv Gandhi Salai,  
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(Near Top City Hotel),  
Kumaran Nagar, Channai - 600 119.

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5. The Village Administrative Officer,  
Greater Chennai Corporation (Ward 185),  
Panchayat Office,  
East Coast Road, Palavakkam,  
Chennai - 600 041.

+1CC to Mr.S.Manuraj, Advocate, Sr.No.51871

+1CC to Mr.K.Raja Shrinivas, Advocate, Sr.No.52090

+1CC to Mr.A.Prabhakaran, Advocate, Sr.No.52099

W.P.No.16600 of 2020

SPD (CO)

K.RK. (11.11.2021)