



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESEVALU

WP No.21293 of 2021

S.Ganapathi

.. Petitioner

Vs

1. The Commissioner of Land Reforms,
The Commissionerate of Land Reforms,
Chepauk, Chennai - 600 005.
2. The District Collector,
Office of the District Collectorate,
Tiruvallur District.
3. The Tahsildhar,
Tiruvallur Taluk & District.
4. M/s.Winwind Power Energy Private Limited,
rep. by its Authorised Officer,
No.322/10, R.C.K.Nagar,
Vengal Village,
Tiruvallur District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 2nd and 3rd respondents to consider petitioner's representation dated 15.04.2021 for initiating action to remove the illegal encroachment made by the fourth respondent herein to an extent of 32.50 ares in Vengal Village S.No.305/7 and 305/12A (which are classified as Bhoodan Lands as per Records) within a time frame.

For the Petitioner : Mr.R.Ganesh Kumar

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent Nos.1 to 3



ORDER

(Order of the Court was made by Hon'ble Chief Justice)

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The grievance of the petitioner is that certain parcels of land earmarked for the Bhoodan purpose have been encroached upon by the private respondent.

2. Mr.P.Muthukumar, learned Government Pleader, takes notice on behalf of the respondents 1 to 3 and informs the court that the first respondent would be the appropriate official to deal with the matter.

3. Accordingly, WP No.21293 of 2021 is disposed of by permitting the petitioner to carry a fresh, detailed representation in respect of the matters complained of to the first respondent Commissioner of Land Reforms within a fortnight from date. The concerned Commissioner will cause an inquiry to be made upon notice to the private respondent and all others likely to be affected by his decision. The Commissioner will, thereupon, communicate his reasoned decision to the petitioner, the private respondent and any other person likely to be affected thereby. In the event any encroachment is found, the Commissioner should take immediate appropriate steps in accordance with law to remove the same, including by referring the matter to any other official competent to do so.

4. Since no prejudice is caused by this order to the private respondent, who has been required to be issued notice by the Commissioner at the time of commencement of the inquiry, previous service of this petition has not been required on the private respondent. However, the petitioner will be obliged to immediately forward copies of the petition and this order to the private respondent.

There will be no order as to costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Land Reforms,
The Commissionerate of Land Reforms,
Chepauk, Chennai - 600 005.
2. The District Collector,
Office of the District Collectorate,
Tiruvallur District.
3. The Tahsildhar,
Tiruvallur Taluk & District.

+1cc to M/s.R.Ganesh Kumar, Advocate, S.R.No.51803

WP No.21293 of 2021

BS (CO)
SU (08/10/2021)