

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.22593 of 2019

P.Kanagaraj

... Petitioner

Vs

1. The Secretary,
Revenue Department,
Fort St. George,
Chennai - 104.
2. The District Collector,
Office of the District Collector,
Tiruppur District.
3. The District Revenue Officer,
Office of the District Revenue Office,
District Collectorate,
Tiruppur.
4. The Sub Collector,
Office of the Sub Collector,
Dharapuram,
Tiruppur District.
5. The Tahsildar,
Office of the Tahsildar,
Dharapuram,
Tiruppur District.
6. The Executive Engineer,
Public Works Department,
Amaravathi Delta Division,
Dharapuram.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to remove the encroachments in Survey Numbers 1461/2, 1477/2, 1727/1 in Sangarandampalayam, Dharapuram Taluk, Tiruppur District without further delay.

For Petitioner : Mr.B.Vijayakumar

For Respondents : Mr.V.Jayaprakash Narayanan
State Government Pleader

ORDER

(Order of the Court was made by
SENTHILKUMAR RAMAMOORTHY, J.)

This writ petitioner seeks a direction to the respondents to remove the encroachments in Survey Numbers 1461/2, 1477/2, 1727/1 in Sangarandampalayam, Dharapuram Taluk, Tiruppur District. The petitioner states that representations were given in this regard on 16.3.2018, 19.5.2018, 18.6.2018, 23.8.2018, but till date the encroachments have not been removed.

2. In several cases of this nature, this Court observed that it is not inclined to exercise discretionary jurisdiction in public interest litigation unless the matter involves significant public interest.

3. Accordingly, without examining the merits of the representations dated 16.3.2018, 19.5.2018, 18.6.2018, 23.8.2018, the official respondents concerned are directed to dispose of the same by a speaking order within a period of six weeks from the date of receipt of a copy of this order, after providing a reasonable opportunity to the affected parties. In the event the petitioner is aggrieved by such decision, it is open to the petitioner to pursue his remedies in accordance with law, otherwise than by a public interest litigation, after establishing his locus standi in that regard.

4. W.P.No.22593 of 2019 is disposed of on the above terms. There will be no order as to costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sasi

To:

1. The Secretary,
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Chennai - 104.
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Tiruppur District.
6. The Executive Engineer,
Public Works Department,
Amaravathi Delta Division,
Dharapuram.

+1 cc to Mr.Vijayakumar Advocate sr7012
+1 cc to Government Pleader sr7324

W.P.No.22593 of 2019

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