



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.24487 of 2021
and
W.M.P.No.25807 of 2021

S.Ananda

...Petitioner

Vs.

1. The District Collector,
Krishnagiri.
2. The Commissioner,
Bagalur Road,
Hosur Town,
Krishnagiri District.
3. The Block Development Officer,
Hosur Town & Taluk, Krishnagiri.
4. The Headmaster,
PUP School,
Basthi Village,
Avalapalli Post, Hosur Taluk,
Krishnagiri District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to forbear the respondents their men, agents and subordinates from anyway proceedings with unauthorised construction in the petitioner's property situate at S.No.750/1D measuring 0.10 cents, Avalapalli village, Hosur Taluk, Krishnagiri District.

For petitioner : Ms.Poornima

For respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader
(for R1, R2 and R4)
Mr.S.J.Mohammed Sithick
(for R3)



ORDER

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

Heard Ms.R.Poornima, learned counsel for the petitioner, Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader appearing for the respondents 1, 2 and 4 and Mr.S.J.Mohammed Sithik, learned standing counsel appearing for the third respondent.

2.The prayer sought for in this writ petition is to forbear the respondents, their men, agents and subordinates from anyway proceedings with unauthorised construction in the petitioner's property situated at S.No.750/1D measuring to an extent of 0.10 cents, Avalapalli village, Hosur Taluk, Krishnagiri District.

3.It is the case of the petitioner that in respect of the land measuring to an extent of 0.10 cents in S.No.750/1D, the petitioner was issued with patta and the land is under his possession and enjoyment. Despite the same, the respondents have put up construction when the petitioner was away from his village.

4.The learned Additional Government Pleader, on instructions from the respondents, would state that the petitioner's forefather has gifted the land in favour of the local-body, in which, a school was constructed and it has been in existence from 1977. He would further state that originally, the school building was constructed with Asbestos Sheet and then it was converted into Madras Tiles and presently, the building was constructed with concrete roof. In support of said submission, the learned Additional Government Pleader produced photographs of the school.

5.In the light of the above fact, we find no merit in the writ petition. However, it is open to the petitioner to make representation to the concerned authority, if he is entitled for compensation.

6.Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

skn



To

1. The District Collector,
Krishnagiri.
2. The Commissioner,
Bagalur Road,
Hosur Town,
Krishnagiri District.
3. The Block Development Officer,
Hosur Town & Taluk, Krishnagiri.

+lcc to Ms.R.Poornima, Advocate, S.R.No.60866

+lcc to the Government Pleader, S.R.No.60641 (21/01/2022)

W.P.No.24487 of 2021
and
W.M.P.No.25807 of 2021

GPL (CO)
SU(05/01/2022)