



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2021

CORAM:

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

Writ Petition No.24251 of 2021

Selvam

...Petitioner

Vs.

1.The District Collector,
Tiruvannamalai.

2.Revenue Divisional Officer,
Tiruvannamalai.

3.Tahsildar
Tiruvannamalai Taluk,
Tiruvannamalai.

4.Commissioner,
Tiruvannamalai Municipality,
Tiruvannamalai.

5.Vengadesan

6.Punitha

7.Anandhi

8.Ranjithkumar

9.Manimegalai

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 9 in S.No.335/24 Tiruvannamalai.

For petitioner : Mr.R.Rajarajan

For respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader
(for R1 to R3)
Mr.L.P.Maurya
Standing Counsel (for R4)



ORDER

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

WEB COPY

Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader takes notice for respondents 1 to 3 and Mr.L.P.Maurya, learned Standing Counsel takes notice for 4th respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The prayer sought for in this writ petition is to issue a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 9 in S.No.335/24 at Tiruvannamalai.

3.The petitioner would state that he is the owner of a plot bearing No.10, situated at S.Nos.335/25, 38 & 39 of Tiruvannamalai Town and District vide sale deed dated 19.06.1991. The grievance expressed by the petitioner is that the private respondents had encroached upon the road in S.No.335/24, which caused inconvenience not only to the petitioner but also to the other residents of the area. Hence, he filed the writ petition in W.P.No.22726 of 2007 and as per the direction issued in that writ petition, encroachment was removed in S.No.335/24.

4.The learned counsel for the petitioner Mr.R.Rajarajan would state that even though the encroachment was removed in pursuance of the order passed in W.P.No.22726 of 2007, the private respondents have again encroached the road and hence, a representation was given to the official respondents to remove the encroachment. Since no action was taken, the present writ petition.

5.The learned counsel would further add that it would suffice, if a suitable direction is issued to the respondents 3 and 4 to consider the representation of the petitioner dated 14.07.2021.

6.The learned counsels appearing for the official respondents would state that the respondents 3 and 4 are ready to take appropriate action on the representation of the petitioner, in accordance with law.

7.In the light of the above submission, this Court, without expressing any opinion on the merits of the matter, directs the



respondents 3 and 4 to consider the representation of the petitioner dated 14.07.2021 and take appropriate action in accordance with law, after affording ample opportunity to all the necessary parties. The said exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

8. With the above directions, this writ petition is disposed of. No costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

skn
To

1. The District Collector,
Tiruvannamalai.
2. The Revenue Divisional Officer,
Tiruvannamalai.
3. The Tahsildar
Tiruvannamalai Taluk,
Tiruvannamalai.
4. The Commissioner,
Tiruvannamalai Municipality,
Tiruvannamalai.

+1cc to Mr.R.Rajarajan, Advocate Sr.58439
+1cc to Mr.L.P.Maurya, Advocate Sr.58570
+1cc the Government Pleader Sr.58504

W.P.No.24251 of 2021

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srg 02/12/2021