



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 03.02.2022

CORAM:

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

W.P. No.1042 of 2022

N.Palani

.. Petitioner

Versus

1. The District Collector,
District Collectorate Buildings,
Thiruvallur District 602 001.
2. The Tahsildar,
O/o the Tahsildar,
Uthukottai Taluk,
Thiruvallur District 602 026.
3. The Executive Engineer,
Public Works Department/Water Resource Department,
Kosasthalaiyar Basin Division,
Thiruvallur.
4. The Superintendent,
Block Development Office,
Village Panchayat,
Ellapuram, Periyapalayam,
Uthukottai Taluk,
Thiruvallur District 601102.
5. The Village Administrative Officer,
78, Thirukandalam Village & Post,
Uthukottai Taluk,
Thiruvallur District 601 103.

6. P.Madhan @ Sathyaraj

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the 1st to 4th respondents to consider his representation dated 23.12.2021.



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For petitioner : Mr.B.Tushitha
for Mr.R.Arunkumar

For respondents
for RR1 to 3 : Mr.K.V.Sajeev Kumar
Special Government Pleader

for RR4 & 5 : Mr.V.P.R.Elamparithi

ORDER

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

The Writ Petition is heard through video conferencing.

2. This Writ Petition has been filed for issuance of a Writ of Mandamus directing the respondents 1 to 4 to consider the petitioner's representation dated 23.12.2021.

3. In W.P.No.18593 of 2021, this Court vide, order dated 26.10.2021, issued a direction to the Executive Engineer, Public Works Department/Water Resource Department, Kosasthalaiyar Basin Division, Thriuvallur to take appropriate action to remove the encroachment in Survey No.353/2 of Thirukandalam Village, which is classified as "Sitheir Odai Poromboke", after affording ample opportunity to the necessary parties.

4. The grievance of the petitioner is that the direction issued in the earlier Writ Petition was not followed and the Writ Petitioner therein P.Madhan @ Sathyaraj taking undue advantage of the order, attempted to grab his property.

5. It is the submission of the learned Special Government Pleader appearing for the respondents 1 to 3 Mr.K.V.Sajeev Kumar that so far the officials of the PWD Department have not initiated proceedings to evict the encroachers and now they are ready to take action to evict them by following due process of law. It is also stated that so far no complaint has been received from the petitioner with regard to trespass of the said P.Madhan @ Sathyaraj in his property.



6. In the light of the submissions made by the learned Special Government Pleader, we find no merit in this Writ Petition. Hence, the Writ Petition is dismissed. No costs.

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Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The District Collector,
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PMK (CO)
SU (07/03/2022)