



W.P. No. 1551 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM

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

W.P. No. 1551 of 2022

C.Balaraman

... Petitioner

-VS-

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Tahsildar,
Kundrathur Taluk,
Kancheepuram District.
3. The Block Development Officer (BDO),
CNC Complex, No. 14, 1st Floor,
O/o. Block Development Officer,
Padappai,
Chennai - 600 301.
4. The President,
Amarambedu Village Panchayat,
Amarambedu Village,
Kundrathur Post & Taluk,
Kancheepuram District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to remove the road laid in the Petitioner's patta lands comprised in Survey No. 408/2B, measuring to an extent of 8 cents and Survey No. 408/2C in Patta No. 488, measuring to an extent of 9 cents, totalling 17 cents situated at



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Amarambedu Village, Kundrathur Taluk (Previously Sriperambudur Taluk),
Kancheepuram District (Previously Chengalpattu MGR District) without
following the due process of law.

For Petitioner : Mr. N.Ramesh

For Respondents : Mrs. N.Senthil Selvi,
Government Advocate (for R1 to R3)

Mr. E.Veda Bagath Singh (for R4)

ORDER

Heard Mr. N.Ramesh, Learned Counsel for the Petitioner, Mrs. N.Senthil Selvi, Learned Government Advocate appearing for the First to Third Respondents and Mr. E.Veda Bagath Singh, Learned Counsel for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner that a road has been unauthorizedly laid in his private property comprised in S. Nos. 408/2B and 408/2C, Amarambedu Village, Kundrathur Taluk, Kancheepuram District and had sought for a direction to remove the same.



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3. In furtherance to the order passed on 29.09.2022 by the Court, Learned

Government Advocate appearing for the First to Third Respondents states that the road laid in part of the private property had been removed and he has filed a memo dated 01.11.2022 to that effect along with photographs. She further submits that the Petitioner cannot claim to be owner of the property as it belongs to one Pawnkumar, who is the son of the brother of the Petitioner. It is made clear that no view has been expressed by the Court on the claim of the Petitioner to the title of the property and any dispute in that regard would have to be worked out before the proper forum in the manner recognized by law.

4. As nothing remains for further consideration, the Writ Petition is disposed. No costs.

01.11.2022

vjt

Index: Yes/No

Note: Issue order copy by 15.11.2022.

To

1. The District Collector,
Kancheepuram District,
Kancheepuram.



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2. The Tahsildar,
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Kancheepuram District.
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P.D. AUDIKESAVALU, J.

vjt

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