



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.22924 of 2010

And

M.P.No.1 of 2010

M/s.Jogeo Enterprises
Rep by Proprietor,
Jose Mathew

... Petitioner

Vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Revenue Divisional Officer,
Chengelpet.
3. The Tahsildar,
Chengalpattu Taluk,
Chengalpattu.
4. The Land Revenue Inspector,
Guduvancherry,
Chengalpattu Taluk.
5. The Superintendent of Engineer,
(Distributor and Supply)
Tamilnadu Electricity Board,
Kancheepuram District,
Kancheepuram.
6. Sivaprakasam
7. R.Deepa

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents 1 to 4 from any manner allowing the 6th and 7th respondents or any other person in any manner putting up any houses or constructions in the land comprised in S.F.No.165/1A situated at



Kannivakkam Village, Chengalpattu Taluk, Kancheepuram District which is described as Maikkchel Government Poramboke in the revenue records.

(Prayer amended as per Court order dated 8.10.10 by KSAJ in MP.2/10 in WP.22924/10)

For Petitioner : Mr.A.Murugavel

For Respondents : Mr.T.Chezhiyan
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus forbearing the respondents 1 to 4 from any manner allowing the respondents 6 and 7 or any other person in any manner putting up any houses or constructions in the land comprised in S.F.No.165/1A situated at Kannivakkam Village, Chengalpattu Taluk, Kancheepuram District which is described as Maikkal Government Poramboke in the revenue records.

2.The case of the petitioner is that the petitioner intended to commence a leather factory in Kancheepuram District and also obtained consent from Tamil Nadu Pollution Control Board, Chennai. The petitioner also obtained building plan approval from Panchayat Union, Kattankulathur, licence from Inspector of Factories, consent from fire station and health department, DTCP plan approval from competent Authority and consent under the provisions of Water Act.

3.The further case of the petitioner is that after securing all the necessary and required sanction and consent from all the statutory Authorities, the petitioner constructed tannery unit and effluent plant during the year 1995. Thereafter, as per the direction of the Pollution Control Board, the petitioner also erected reserve osmosis plant and solar evaporation plant during the year 2007. According to the petitioner, there are no complaints against the petitioner. The grievance of the petitioner is that the respondents 6 and 7 are forming unauthorized layout plan in the adjacent land which is classified as 'Maikkal Government Poromboke' land with an ulterior motive to disturb the running of the factory in the area. Hence, the petitioner issued notice dated 24.05.2010 to the first respondent seeking to initiate action against the land grabbers and since there was no action, has filed this writ petition.



4.The learned counsel appearing for the petitioner submitted that without going into the merits of the case, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 24.05.2010 and to pass appropriate orders within a reasonable time frame.

5.The learned Additional Government Pleader submitted that the petitioner's occupation as well as the private respondents layout will be elaborately enquired into within the time frame that is to be fixed by this Court.

6.The petitioner claim that he has obtained all the necessary and required sanction and consent from all the statutory Authorities for running a leather factory and that the adjacent land is a 'Maikkal Government Poromboke' land. 'Maikkal Government Poromboke' land is meant for rearing of cattle and establishment of leather factory adjacent to such land is questionable one.

7.In view of the above, this Court issues direction to the first respondent to enquire into the entire issue and after hearing the petitioner as well as the private respondents i.e., respondents 6 and 7 pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

8.The writ petition is accordingly disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Revenue Divisional Officer,
Chengelpet.
3. The Tahsildar,
Chengalpattu Taluk,
Chengalpattu.



4. The Land Revenue Inspector,
Guduvancherry,
Chengalpattu Taluk.

5. The Superintendent of Engineer,
(Distributor and Supply)
Tamilnadu Electricity Board,
Kancheepuram District,
Kancheepuram.

+1cc to Mr.K.Balu, Advocate, S.R.No.10392

W.P.No.22924 of 2010
And
M.P.Nos.1 and 3 of 2010

GSM(CO)
SU(16/03/2022)