



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.02.2022

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.28419 of 2010

and

M.P.No.1 of 2010

Ekambaram

..Petitioner

vs

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Revenue Divisional Officer,
Chengelpet,
Kancheepuram District.

3.The Tahsildar,
Chengalpattu,
Kancheepuram District.

4.Elumalai

5.Pasupathy

6.Gugapathay

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue an appropriate order or direction or Writ of Mandamus forbearing the respondents 1 to 3 from any manner allowing the respondents 4 to 6 or any person in any manner putting up any houses or construction in the land comprised in Survey No.148/31C situated at Melakottaiyur village, Chengalpet Taluk, Kancheepuram District, which is described as Maikkal Government Puramboke in the Revenue records.

For Petitioner : Mr.K.Balu

For Respondents : Mr.T.Chezliyan
Additional Govt Pleader



O R D E R

The Writ Petition has been filed seeking issuance of writ of mandamus directing the respondents 1 to 3 from any manner allowing the respondents 4 to 6 or any person in any manner putting up any houses or construction in the land comprised in Survey No.148/31C situated at Melakottaiyur village, Chengalpet Taluk, Kancheepuram District, which is described as Maikkal Government Puramboke in the Revenue records.

2.The case of the petitioner is that the petitioner is residing in Melakottaiyur Village comprised in Survey.No.148/31C, which to an extent of 2 acres, is classified as Maikkal Government Poramboke land in which the private respondents 4 to 6 preferred to put up illegal construction and formed an unauthorized lay out plan and making an attempt to grab the entire lands. In this regard, the petitioner made a complaint to the respondents 1 to 3 on 27.11.2010, but till date no order was passed on the said complaint. Hence, the writ petition.

3. The learned counsel for the petitioner sought for an order of injunction restraining the respondents 4 to 6 and their henchmen from in any manner putting up any constructions in the land comprised in Survey.No.148/31C situated at Melakottaiyur Village, Chengalpet Taluk, Kancheepuram District.

4. On the above contentions, this Court heard the learned Additional Government Pleader appearing for respondents 1 to 3.

5.Heard both sides and perused the materials available on record. Since no adverse orders are being passed against respondents 4 to 6, notice on respondents 4 to 6 is dispensed with.

6.Considering the facts and circumstances of the case and having regard the submissions made by the learned counsel on either side, the third respondent is directed to consider the representation of the petitioner dated 27.11.2020 and after affording an opportunity to the petitioner as well as to respondents 4 to 6, pass appropriate orders including removal of illegal construction, if any put up in the said survey number and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



7.The writ petition stands disposed of with the aforesaid direction No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-CCC)

//True copy//

Sub Assistant Registrar

vsn

To

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Revenue Divisional Officer,
Chengelpet,
Kancheepuram District.

3.The Tahsildar,
Chengalpattu,
Kancheepuram District.

+1cc to Mr.K.Balu, Advocate SR.No.10640

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AK II (CO)
GMY (21/03/2022)