



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30.03.2022

Coram:

THE HONOURABLE MR.MUNISHWAR NATH BHANDARI, Chief Justice
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7445 of 2022

S.R.Periyasamy

.. Petitioner

Vs.

1. The District Collector,
Tiruvallur District, Tiruvallur.
2. The Revenue Divisional Officer,
Thiruthani, Thiruvallur District.
3. The Tahsildar,
Thirutani Taluk, Thiruthani,
Tiruvallur District.
4. Mohan
5. Subramani
6. Gnanasekaran

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to remove the encroachment made by the respondents 4 to 6 in the cart track situated in S.No.156, Mamandur Village, Arunkulam Post, Thiruthani Taluk, Tiruvallur District.

For petitioner : M/s.R.Hemalatha

For respondents: Mr.J.Ravindran,
Addl. Advocate General,
assisted by Mr.S.J.Mohamed Sathik,
Govt. Advocate for RR-1 to 3



ORDER

(The Order of the Court was made by The Honourable Chief Justice)

WEB COPY The Writ Petition has been filed seeking direction to the respondents 1 to 3 to remove the encroachment made by the respondents 4 to 6 in the cart track situated in S.No.156, Mamandur Village, Arunkulam Post, Thiruthani Taluk, Tiruvallur District.

2. Learned counsel for the petitioner submitted that, despite the representation dated 17.02.2022 to the respondent Nos.1 to 3 to remove the encroachments, no action has been taken and thus, this Writ Petition has been filed in public interest.

3. Learned Additional Advocate General appearing for the respondent Nos.1 to 3 submitted that the respondents 1 to 3 will make a survey to find out as to whether the encroachments exist in the Survey Number given by the petitioner and if it is found, action would be taken immediately thereupon, as per the provisions of law.

4. In view of the above statement of the learned Additional Advocate General, we dispose of this Writ Petition, with a direction to the respondents 1 to 3 to make a survey of the land in the Survey Number referred to above and if any encroachment is found, they shall take action against the encroachers as per the provisions of law, within a period of three months from today. It is however clarified that if application for issuance of Patta has been made by the encroachers, it may be considered, but strictly as per the provisions of law, and thereby Patta may be issued, if it is permissible and not to facilitate the encroachers. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

CS

To

1. The District Collector,
Tiruvallur District, Tiruvallur.



2. The Revenue Divisional Officer,
Thiruthani, Thiruvallur District.

3. The Tahsildar,
Thirutani Taluk, Thiruthani,
Tiruvallur District.

+1cc to Mr.C.Prakasam, Advocate SR.No.21975

W.P.No.7445 of 2022

AK-II (CO)
CB (05/04/2022)