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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.8529 of 2020

and

W.M.P.No.10302 of 2020

Dr.A.Thomas George

... Petitioner

vs.

1. The District Collector,
Chengalpattu District,
Chengalpattu.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The Block Development Officer - Padappai,
Shanmugha Nagar,
Pushpagiri Road,
Padappai - 601 301.
4. The Assistant Engineer,
BDO Office Kattankolathur,
Kattankolathur,
Chengalpattu District - 603 203.
5. The Assistant Engineer,
Public Works Department - Padappai,
Government High School,
Keezhpadappai,
Kancheepuram District.
6. The Thasildar,
Taluk Office,
Sriperumbudur - 602 105.
7. The Head Surveyor,
Taluk Office,
Sriperumbudur - 602 105.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to consider the representations of the



petitioner dated 09.09.2019 and 14.12.2019 and survey the lands of the Petitioner in Survey No.291 measuring 91 cents and Survey No.292 measuring 72 cents of Athanur Village, Sriperumbudur Taluk, Kancheepuram District in his presence and fix the survey boundaries before proceeding with the work of fencing the water canal.

For Petitioner : Mr.K.Sridhar
For R1, R2 and R4 to R7: Mr.S.Rajesh
Government Advocate
For R3 : Mr.M.Elumalai

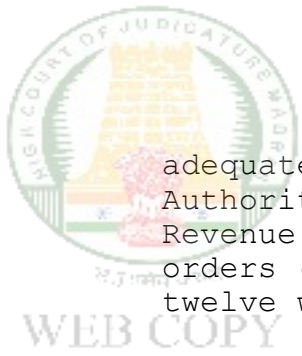
ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the Respondents to consider the representations of the petitioner dated 09.09.2019 and 14.12.2019 and survey the lands of the Petitioner in Survey No.291 measuring 91 cents and Survey No.292 measuring 72 cents of Athanur Village, Sriperumbudur Taluk, Kancheepuram District in his presence and fix the survey boundaries before proceeding with the work of fencing the water canal.

2. The case of the petitioner is that the petitioner made representations to survey the lands belong to the petitioner comprised in Survey No.291 measuring to an extent of 91 cents and Survey No.292 measuring to an extent of 72 cents situated at Athanur Village, Sriperumbudur Taluk, Kancheepuram District and fix boundaries. While pending the writ petition, this Court directed the respondents to consider the request of the petitioner and measure the properties in the presence of the petitioner. Accordingly, the 6th respondent engaged the 7th respondent and surveyed the properties on 22.07.2020. However, the petitioner was not served any survey report.

3. Considering the above, the 6th respondent is directed to serve the survey report dated 22.07.2020 in respect of the subject lands to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

4. Further, the case of the petitioner is that as per survey report, 13,000 sq.ft of the lands comprised in both the survey numbers had been encroached for laying water canal by the Revenue Authorities. If it is so, the petitioner is at liberty to make representation before the Revenue Authorities for



adequate compensation for the land encroached by the Revenue Authorities for laying water canal. On receipt of the same, the Revenue Authorities are directed to consider the same and pass orders on merits and in accordance with law, within a period of twelve weeks, thereafter.

5. With the above directions, this writ petition is disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

dm

To

1. The District Collector,
Chengalpattu District,
Chengalpattu.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The Block Development Officer - Padappai,
Shanmugha Nagar,
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4. The Assistant Engineer,
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Kattankolathur,
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Public Works Department - Padappai,
Government High School,
Keezhpadaipai,
Kancheepuram District.
6. The Thasildar,
Taluk Office,
Sriperumbudur - 602 105.



7. The Head Surveyor,
Taluk Office,
Sriperumbudur - 602 105.

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+1cc to Mr.K.Sridhar, Advocate, S.R.No.2369

+1cc to Mr.M.Elumalai, Advocate, S.R.No.2785

+1cc to the Government Pleader, S.R.No.3036

W.P.No.8529 of 2020

PCH(CO)
SU(07/02/2022)