



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. NO.13766 OF 2014
AND W.M.P.NO.1 OF 2014

D.Dhamodharan

... Petitioner

Vs.

1. The Collector,
Thiruvallur District,
Thiruvallur.

2. The Tahsildar,
Poonamallee Taluk,
Poonamallee,
Chennai.

3. The Chairman,
Avadi Municipality,
Avadi, Chennai 54.

4. The Commissioner,
Avadi Municipality,
Avadi, Chennai 54.

5. The Municipal Engineer,
Avadi Municipality,
Avadi, Chennai 600 054.

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent nos.3 to 5 from interfering or trespassing into the petitioner's property situated at No.6/1, Sekkadu Village, Poonamallee Taluk, Thiruvallur District, comprised in Grama Natham Survey No.179 measuring to an extent of 4595 sq.ft. Or thereabouts, more fully described in the schedule to the petition.

For Petitioner : Mr.Dr.G.Krishnamurthy

For Respondents : Mr.R.P.Muruganraja,
Government Advocate.



O R D E R

WEB COPY This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondent nos.3 to 5 from interfering or trespassing into the petitioner's property situated at No.6/1, Sekkadu Village, Poonamallee Taluk, Thiruvallur District, comprised in Grama Natham Survey No.179 measuring to an extent of 4595 sq.ft. Or thereabouts, more fully described in the schedule to the petition.

2. The Government Advocate takes notice for the official respondents. In view of the limited relief sought for in this petition and on the consent of the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner is the owner of the property situated at No.6/1, Sekkadu Village, Poonamallee Taluk, Thiruvallur District, comprised in Grama Natham Survey No.179 measuring to an extent of 4595 sq.ft. Since the respondents 3 to 5 are trying to put up construction over the petitioner's property, the petitioner had given a representation to the respondents on 12.05.2014. However, till date no orders have been passed. Hence, this writ petition is filed with the above said prayer.

4. The learned counsel appearing for the petitioner submitted that it would suffice, if this Court issues a direction to the first and second respondents to consider the petitioner's representation dated 12.05.2014 and pass orders within the time frame that may be stipulated by this Court and if the petitioner is in possession, he will not be disturbed.

5. The learned Government Advocate appearing on behalf of the official respondents submitted that if at all the petitioner is in possession, the petitioner's possession will not be disturbed without following due process of law.

6. Recording the submissions made by the learned Government Advocate, this Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Shk

Sub Assistant Registrar



To

1. The Collector,
Thiruvallur District,
Thiruvallur.
2. The Tahsildar,
Poonamallee Taluk,
Poonamallee,
Chennai.
3. The Chairman,
Avadi Municipality,
Avadi, Chennai 54.
4. The Commissioner,
Avadi Municipality,
Avadi, Chennai 54.
5. The Municipal Engineer,
Avadi Municipality,
Avadi, Chennai 600 054.

+lcc to Mr.S.V.S.Ilamvazhuthi, Advocate, S.R.No.23931
+lcc to the Government Pleader, S.R.No.24311

W.P. No.13766 of 2014

SS (CO)
PM/06/05/2022