



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

and

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.No.28212/2021 and WMP.No.29813/2021

C.Poongothai

...Petitioner

-vs-

1.The District Collector,
Thiruvallur, Thiruvallur District.

2.The Block Development Officer,
Thiruvallur Panchayat Union,
Thiruvallur District.

3.The President,
Veppampattu Panchayat,
Veppampattu, Thiruvallur Taluk,
Thiruvallur District.

4.Thiyagu

5.D.Jayaraman

6.E.Sekar

7.Dass

8.The Inspector of Police,
Sevvet Police Station,
Thiruvallur District.

9.The Superintendent of Police,
Thiruvallur District.

...Respondents

(R8 and R9 suo motu impleaded vide order
dated 04.01.2022 in this W.P.)

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying for issue of Writ of Mandamus,
directing the 1st respondent to remove the encroachment made by
the respondents 4 to 7 on the 45 Feet Road (Bajanai Koil
Street), Perumalpattu Village, Thiruvallur Taluk, Thiruvallur
District and to cover up the open canal by putting cement slabs



and to give water connection into the petitioner's house bearing Plot No.1, Radhakrishnan Nagar comprised in S.No.94/1B, Veppampattu Village, Thiruvallur Taluk, Thiruvallur District as similar to that given to other village people by considering her representation dated 27.07.2021.

For Petitioner : Mr.S.V.Sugumar
For Respondents : Mr.J.Ravindran,
1, 8 and 9 AAG assisted by
Mr.A.Selvendran, Spl.G.P.

ORDER

(Order of the Court was made by T.RAJA, J.)

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to remove the encroachment made by the respondents 4 to 7 on the 45 Feet Road (Bajanai Koil Street), Perumalpattu Village, Thiruvallur Taluk, Thiruvallur District and to cover up the open canal by putting cement slabs and also to give water connection into the petitioner's house bearing Plot No.1, Radhakrishnan Nagar comprised in S.No.94/1B, Veppampattu Village, Thiruvallur Taluk, Thiruvallur District by considering her representation dated 27.07.2021.

2. On an earlier occasion i.e. on 02.02.2022, this Court has passed the following Order:

'The learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents submitted that as per the undertaking given by the respondents in the last hearing, the cement slab has been laid to enable the petitioner to have access to her property. They have also produced photographs in support of their submission.

2.The grievance of the petitioner is that though the local body has provided water connection to the other residents of the area, it was not given to the house of the petitioner. Further, the party flag post installed in front of the house of the petitioner has not been removed.

3.Since the party flag post installed in front of the house of the petitioner is an unauthorised one, the respondents shall take appropriate action in accordance with law.

4.The learned Government Advocate seeks time to get instructions from the Local-body in respect of water connection.

5.Post the matter next week.'



3. The matter was listed today under the caption, 'for reporting compliance'.

4. When the matter was called, Mr.J.Ravindran, learned Additional Advocate General assisted by Mr.A.Selvendran, learned Special Government Pleader fairly stated that action has already been taken by removing the encroachments in the place-in-question as per the direction of this Court dated 02.02.2022.

5. Recording the same, the Writ Petition is disposed of. Needless to mention that the respondents shall ensure that no such encroachment in future is made in the place-in-question. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Thiruvallur, Thiruvallur District.

2.The Block Development Officer,
Thiruvallur Panchayat Union,
Thiruvallur District.

3.The President,
Veppampattu Panchayat,
Veppampattu, Thiruvallur Taluk,
Thiruvallur District.

4.The Inspector of Police,
Sevvapet Police Station,
Thiruvallur District.

5.The Superintendent of Police,
Thiruvallur District.

+1cc to Mr.S.V.Sugumar, Advocate SR. No.11887

W.P.No.28212/2021

MG (CO)

PR (04/03/2022)