



W.P.No.32926 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2022

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE PARESH UPADHYAY

Writ Petition No.32926 of 2022

O.Haribabu

.. Petitioner

Vs.

1. The District Collector
Tiruvallur District
Tiruvallur.
2. The Revenue Divisional Officer
Revenue Division
Ponneri.
3. The Tahsildar
Gummidipoondi Taluk
Gummidipoondi.
4. The Block Development Officer
Gummidipoondi Taluk
Gummidipoondi.
5. The President
Periya Puliur Panchayat
Poovalambedu Post
Gummidipoondi Taluk
Tiruvallur District.



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6. P.Govindasami

7. B.Prabakar

8. P.V.Janakiraman

9. S.Shanmugam
Respondents

..

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the first, third and fourth respondents to consider and dispose of petitioner's representation dated 27.10.2022 pending on the file of respondents 1 to 4.

For the Petitioner : Mr.P.R.Krishnaraj

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for Respondents 1 to 3 & 5

Mr.Suriya
Government Advocate
for Respondent-4

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition seeking a direction to the respondents 1 to 4 to dispose of his representation dated 27.10.2022.



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2. The grievance of the petitioner is that Gummidipoondi Union Elementary School situated in Government Thoppu Poramboke land in SR No.29/10, Periya Puliyur Agraharam Village, was in dilapidated condition and therefore, the first respondent passed a G.O. to demolish the said building and to construct a new building to have classes up to eighth standard. The Grama Sabha of the Village also passed a resolution in Ref.No.14 on 02.10.2022 to demolish the building and to construct a new building. In the meanwhile, respondents 6 to 9 have encroached the said lands and put up construction of permanent nature, as the old building was demolished.

3. In view of the construction put up by the respondents 6 to 9, the officials, who visited the building with an Engineer, have informed that the construction of new school building in the land in question is ruled out. Hence, the petitioner made a representation on 27.10.2022 to the respondents 1 to 4 to remove the encroachments. As it did not evoke any response, the petitioner has come up before this Court.



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4. Learned State Government Pleader, accepting notice for the respondents 1 to 3 and 5, requested to grant four weeks' time to consider the representation of the petitioner and to take action in accordance with law.

5. In view of the above, the writ petition is disposed of, directing the fourth respondent to consider the representation of the petitioner dated 27.10.2022 and to take action on the same, by removing the encroachment, if any, after issuing notice to the persons concerned, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. There will be no order as to costs. WMP No.32318 of 2022 is closed.

(T.R., ACJ.) (P.U., J.)
13.12.2022

kpl



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- To
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T.RAJA, ACJ,
and
PARESH UPADHYAY,J

(kpl)

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