



WP No.1505 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.1505 of 2023

M.Subbarayan

... Petitioner

versus

1. The Chief Engineer (H)
Construction and Maintenance
Chennai City Road Division II
Chennai 600 015
2. The District Collector
Kallakurichi District.
3. The Assistant Divisional Engineer (H)
Construction and Maintenance
Sankarapuram Sub Division, Kallakurichi
4. The Divisional Engineer (H)
Construction and Maintenance
Kallakurichi Division
5. State project Director
Integrated schooling
Azhaagappan Buildings
College Road Chennai 600 006



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6. The Tahsildar
Sankarapuram

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorari to call for the records relating to the impugned show cause Notice vide Na.Ka.No.288/2022/A1 dated 24.11.2022 issued by the 3rd respondent as illegal, arbitrary, non-est and quash the same.

For the Petitioner : Mr.D.Murugan

For the Respondents : Mr.P.Muthukumar,
State Government Pleader

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition challenging the notice issued by the third respondent wherein the petitioner was asked to remove the encroachments made by him.

2. According to the petitioner, the land in question was distributed by the Government and it was registered vide document No.5040 of 1973 dated 21.06.1973 on the file of the Sub Registrar, Sankarapuram. Ever since registration, the petitioner has been in possession and enjoyment of the said land. While so, all of a sudden, the third respondent issued the impugned order directing the petitioner to remove the encroachment. The petitioner submitted an explanation dated 28.11.2022. However, there was no positive response from the third respondent. Hence, the present writ petition has been filed.



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3. Heard the learned counsel for the petitioner.

4. On a perusal of the materials placed by the petitioner, this Court is unable to find any document in support of the petitioner's claim of title or ownership of the land in question. We are, therefore, unable to entertain this writ petition. The writ petition fails and the same is dismissed. There will be no order as to costs. Consequently, WMP No.1598 of 2023 is closed.

(T.R., ACJ.) (D.B.C., J.)
23.01.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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