



WP No.4419 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.4419 of 2023

P.Gajapathy

... Petitioner

versus

1.The District Collector,
Thiruvallur District.

2.The Sub Collector,
Thiruvallur District.

3.The Tahsildar,
Uthokottai Taluk,
Tiruvallur District

4.Vijaya

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 18.11.2022 and direct the respondents 1 to 3 to remove the encroachments in S.Nos.315/1 and 316/1 in Akkarapakkam Village, Tiruvallur District.

For the Petitioner : Mr.S.N.Subramani

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for respondents 1 to 3.



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ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed seeking a writ of mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 18.11.2022, and consequently direct the respondents 1 to 3 to remove the encroachments in S.Nos.315/1 and 316/1 in Akkarapakkam Village, Tiruvallur District.

2. Mr.P.Muthukumar, learned State Government Pleader, appearing for the respondents 1 to 3 would submit that as per the revenue records produced by the petitioner, the lands are classified as "HOC". Learned State Government Pleader, by producing the G.O.Ms.No.233 Revenue and Disaster Management Department, dated 05.02.2021, would submit that HOC means "Held-over Cases". The relevant portion of the Government Order is produced hereunder:

<i>Authority</i>	<i>Powers</i>
<i>a) Sub Collector/ Revenue Divisional Officer</i>	<i>To decide the held-over cases which were recorded as "Ryot withheld" in the fair adangal register during Natham Settlement/Town Settlement Scheme (Revenue follow-up works)</i>



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3. In the instant case, even though S.Nos.315/1 and 316/1 were shown as Held-over Cases as there was dispute as to the nature of land during the Natham survey and settlement, subsequently, after enquiry, the S.Nos.315/1 and 316/1 are classified as Natham lands.

4. In view of the above, the writ petition fails and the same is dismissed. There will be no order as to costs. WMP No.4447 of 2023 is closed.

(T.R., ACJ.) (D.B.C., J.)
15.02.2023

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

To

1.The District Collector,
Thiruvallur District.

2.The Sub Collector,
Thiruvallur District.

3.The Tahsildar,
Uthokottai Taluk,
Tiruvallur District



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and
D.BHARATHA CHAKRAVARTHY, J.

(tar)

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