



W.P.No.4478 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

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N.Saravanan

.. Petitioner

Vs

- 1.The District Collector,
Vellore Collectorate Office,
Vellore District.
- 2.The Divisional Engineer (H),
Construction Maintenance,
Vellore Division,
Vellore.
- 3.The Assistant Divisional Engineer (H),
Construction and Maintenance (Sub-Division),
Vellore Division,
Vellore.
- 4.The Tahsildar,
Anaicut,
Vellore District.



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5.The Revenue Inspector,
Pallikonda,
Vellore District.

6.The Block Development Officer,
Anaicut,
Vellore District.

7.The Village Administrative Officer,
Kandaneri Village,
Vellore District.

8.P.Vijayakumar

9.R.Viji

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of directing the concerned authority of 1-7th respondents to take necessary legal action on a war foot basis against the unauthorised constructions and encroachments made by the 8th and 9th respondents existing in the nature of shops, houses etc. situated along the road side land adjacent to 40 feet State Highway, which is being falls under the category of "Government Poramboke Land" situated in Survey No.360 at Kandhaneri Village, Kazhanipakkam, Anaicut Taluk, Vellore.

For the Petitioner : Mr.B.Karthikeyan

For the Respondents : Mr.J.Ravindran
Addl. Advocate General
assisted by
Mr.A.Selvendran
Spl. Government Pleader
for respondent Nos.1 to 5



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: Mr.P.Muthukumar
State Government Pleader
for respondent Nos.6 and 7

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

N.Saravanan, son of Natarajan, a resident of No.56/86/3, Tank Street, Kandaneri Village, Vellore Taluk, has filed this writ petition for issuance of a writ of mandamus directing the official respondents to remove the encroachments in the nature of shops, houses etc. made by respondents 8 and 9 along the roadside Government land adjacent to 40 feet State Highway in Survey No.360 situated at Kandaneri Village, Kazhanipakkam, Anaicut Taluk.

2. Mr.B.Karthikeyan, learned counsel for the petitioner, would submit that respondents 8 and 9 have put up encroachments in the Government land covered in Survey No.360, situated adjacent to 40 feet State Highway, in the form of shops and houses etc., which is



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causing nuisance to the road users as well as the general public. It is pleaded that because of the encroachments, accidents are occurring and in order to avoid avoid accidents and facilitate free-flow of traffic, the said encroachments have to be removed. In this regard, the petitioner sent representation on 23.11.2022 to the respondent authorities. Though a letter correspondence was exchanged between the second and third respondents, thereafter, there was no agile action taken by them. Hence, the petitioner has been advised to file this writ petition.

3. Mr.J.Ravindran, learned Additional Advocate General and Mr.P.Muthukumar, learned State Government Pleader appearing on behalf of the official respondents, submit that if six weeks' time is granted to the respondent authorities, they will conduct a survey of the land in question and thereafter remove the encroachments.

4. Recording the submission made by learned Additional Advocate General and learned State Government Pleader, the writ petition is disposed of with a direction to the respondent authorities



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to conduct a survey of the land in question with the assistance of the jurisdictional Surveyor and, if any encroachment is found, the same shall be removed after notice to the encroachers. The entire exercise is to be completed 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.

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

Index : Yes/No
Neutral Citation : Yes/No
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