



W.A. No. 4490 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2023

CORAM

THE HON'BLE MR. JUSTICE S. VAIDYANATHAN

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

W.A.No. 4490 of 2019

&

W.M.P. No. 5071 of 2019

Ms. Premawathie Sundari Thiagarajan
rep.by her Power Agent P. Ravindran

..Petitioner

Vs.

1. The Deputy Director,
Town and Country Planning
Chengalpattu Region,
No.124, GST Road,
Periyar Shopping Complex,
Chengalpattu – 603 001.
2. The District Collector,
Kanchipuram Collectorate,
Kancheepuram District – 631 501.



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3. The Tahsildar,
Sriperumbadur Taluk,
Kancheepuram District – 602 105.
4. The Block Development Officer,
Sriperumbadur Panchayat Union,
Sriperumbadur Taluk,
Kancheepuram District – 602 105.
5. The Commissioner (VP)(BP),
Sriperumbadur Panchayat Union,
Panchayat Union, Sriperumbadur Taluk,
Kancheepuram District – 602 105.
6. The Assistant Engineer,
Tamil Nadu Electricity Board,
South Sunguvarchatram, Santhavelur,
Kancheepuram District – 602 106.
7. Mr. Siva
8. Mr. Mani
9. Mr. Durai

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Certiorarified Mandamus to call for the records of the 4th respondent passed in his proceedings bearing Na.Ka.No. 2232/2018/A1 dated 12.09.2018 and quash the same te consequently direct responents 1 to 6 to disconnect illegal electricity connection the 8th respondent and to



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remove encroachments of the 30 feet public road by respondents 7 to 9, who are illegal occupants in the public road, ie, in front of Plot 60, 61 in terms of layout approved by the 1st respondent dated 02.01.1989.

For Petitioner :: Mr.P.Ebenezer Paul

For Respondents :: Mr.A. Selvendran,
Special Govt. Pleader for R1 to R5
Mr.L. Jaivenkatesh for R6
No appearance for R7 to R9

ORDER

(Delivered by S. Vaidyanathan,J.)

The writ petition is filed challenging the proceedings of the 4th respondent dated 12.09.2018, quash the same, to direct respondents 1 to 6 to disconnect illegal electricity connection to the 8th respondent and to remove encroachments of the 30 feet public road by respondents 7 to 9, who are illegal occupants in the public road, ie, in front of Plot 60, 61 in terms of layout approved by the 1st respondent dated 02.01.1989.

2. The grievance of the petitioner appears to be that respondents 7 to 9 have encroached upon 30 feet public road in front of the petitioner's



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property by putting up huts thereby denying access to the petitioner's property. The attempts made by the petitioner to remove the encroachments by way of representations to the authorities proved futile. Hence, the present writ petition with the prayer aforesaid.

3. Admittedly, what is sought to be challenged in the present writ petition is the communication addressed to the petitioner's counsel by the Block Development Officer, Sriperambadur Panchayat Union and the said communication is not even issued to the petitioner. However, when the matter is taken up for hearing, it is represented by the learned Special Government Pleader that there is an encroachment in the property pointed out by the petitioner in S.No. 188/1 adjacent to Plot Nos.60 and 61 of Nethaji Road and that the same would be removed if four weeks time is granted.

4. In view of the submission made by the learned Special Government Pleader for respondents 1 to 5 that there is encroachment, four weeks time is granted from the date of receipt of a copy of this order to



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remove the same. The writ petition is disposed of with the above direction.

No costs. Connected W.M.P. is closed.

nv

(S.V.N.J.) (K.R.S.J.)
30.10.2023

To

1. The Deputy Director,
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3. The Tahsildar,
Sriperumbadur Taluk,
Kancheepuram District – 602 105.
4. The Block Development Officer,
Sriperumbadur Panchayat Union,
Sriperumbadur Taluk,
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nv

5. The Commissioner (VP)(BP),
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Panchayat Union, Sriperumbadur Taluk,
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6. The Assistant Engineer,
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