



WEB COPY



W.P.No.4993 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2023

CORAM

THE HONOURABLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4993 of 2023

Balasubramaniyan

.. Petitioner

Versus

1.The District Collector,
Villupuram.

2.The Sub Collector,
Tindivanam,
Villupuram District.

3.The Revenue Divisional Officer,
Marakanam,
Villupuram District.

4.The Municipal Commissioner,
Tindivanam,
Villupuram District.

5.The Tahsildar,
Taluk Office,
Tindivanam, Villupuram District.

6.Balaji

7.Muthu

8.Gangan

.. Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India seeking for issuance of a writ of mandamus directing the respondents particularly respondents 1 to 5 to remove the encroachments in S.No.21 to an extent of 0.75 cents in TMG Nagar, Tindivanam Taluk, Villupuram District, which is a waterbody by the respondents 6 to 8.



WEB COPY



W.P.No.4993 of 2023

For Petitioner

: Mr.N.Raja

For R1 to R5

: Mr.P.Muthukumar, State Govt. Pleader

ORDER

(Order of the Court was delivered by The Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition seeking for issuance of a writ of mandamus directing the respondents 1 to 5 to remove the encroachments made by the respondents 6 to 8 in S.No.21 to an extent of 0.75 cents in TMG Nagar, Tindivanam Taluk, Villupuram District.

2. As per Form-I annexed in the typed set of papers at page No.16, the land covered in Survey No.21 is “Odai” (water body). Again, the Certificate of extract from the Town Survey Land Register downloaded from the website dated 11.07.2022 shows that the land covered in Survey No.21 is Nedunchalai (Highways). It is averred in the affidavit filed in support of the writ petition that the respondents 6 to 8 have constructed a concrete building on the land in question. Therefore, since the encroachment has been made in the land in question, the request of the petitioner seeking for removal of such encroachment needs consideration.

3. Therefore, putting on notice to Mr.P.Muthukumar, learned State Government Pleader, a direction is issued to the respondents 1 to 5 to consider the representation of the petitioner and pass orders in accordance with law, after giving notice to all the aggrieved parties, within a period of four weeks from the date of receipt of a copy of this order. With



W.P.No.4993 of 2023

this direction, the writ petition stands disposed of. No Costs.

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(T.R., ACJ.) (D.B.C., J.)
21.02.2023

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To

1. The District Collector,
Villupuram.
2. The Sub Collector,
Tindivanam,
Villupuram District.
3. The Revenue Divisional Officer,
Marakanam,
Villupuram District.
4. The Municipal Commissioner,
Tindivanam,
Villupuram District.
5. The Tahsildar,
Taluk Office,
Tindivanam, Villupuram District.



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THE HON'BLE ACTING CHIEF JUSTICE
and
D.BHARATHA CHAKRAVARTHY, J.
rkm

W.P.No.4993 of 2023

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