



WEB COPY



W.P. No.4734 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2023

CORAM:

THE HON'BLE MR. JUSTICE S. VAIDYANATHAN
and
THE HON'BLE MR. JUSTICE K. RAJASEKAR

W.P. No.4734 of 2020 & W.M.P. No.5594 of 2020

K. Meenakshi

Petitioner

v

- 1 The District Collector
Kancheepuram District
Kancheepuram
- 2 The District Collector
Tiruvallur District
Tiruvallur
- 3 The District Collector
Chennai District
Singaravelar Maligai
Chennai
- 4 The Commissioner
Corporation of Chennai
Ripon Building
Chennai 600 003
- 5 The Special Tahsildar (Assignment-Housing Site)
Saidapet
Chennai 600 015
- 6 The Section Officer (Assistant Executive Engineer)
P.W.D. Water Resources Department
Sengundram
Red Hills, Chennai 600 052



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The Tahsildar
Ambattur Taluk
Ambattur
Chennai

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus forbearing the respondents from in any manner disturbing the peaceful possession and enjoyment of the petitioner of her Plot No.22, Gandhi Street, Muthamizh Nagar in S.No.813/2B in Korattur Village, Thiruvallur District.

For petitioner Mr. K. Thirumalai

For RR 1-3 & 5-7 Mr. A. Selvendran
Special Government Pleader

For R4 Mr.A.C. Mani Bharathi
Standing Counsel

ORDER

(made by S. VAIDYANATHAN, J.)

The petitioner seeks a writ of mandamus forbearing the respondents from disturbing her peaceful possession and enjoyment of her Plot No.22, Gandhi Street, Muthamizh Nagar in S.No.813/2B in Korattur Village, Thiruvallur District.

2 The case of the petitioner is that she is the owner of the land in S.No.813/2B in Korattur Village, Ambattur Taluk, by virtue of the assignment order issued to her in the year 1991 by the fifth respondent; notwithstanding the



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said factual position, the respondents are attempting to evict her as if she is an encroacher and hence, this writ petition.

3 Today, when the matter was taken up for hearing, Mr.A.C. Mani Bharathi, learned Standing Counsel for Chennai Corporation, submitted that not only the petitioner, but also, several others had encroached S.No.813 in Korattur Village, Ambattur Taluk, and all the encroachers, including the petitioner, were evicted subsequent to issuance of Form-III notice under the Tamil Nadu Protection of Tanks and Eviction of Encroachment Rules, 2007. A counter affidavit has also been filed to that effect by the sixth respondent and also *inter alia* stating that the petitioner could not have been issued with patta, as claimed by her.

In view of the above submission of the learned Standing Counsel for the Chennai Corporation and also the counter affidavit filed by the sixth respondent, the relief sought by the petitioner cannot be granted and ergo, this writ petition stands dismissed, sans costs. Connected W.M.P. stands closed.

(S.V.N., J.) (K.R.S., J.)
19.12.2023

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S. VAIDYANATHAN, J.
and
K. RAJASEKAR, J.

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To

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Ambattur, Chennai

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