



W.P.No.4524 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

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T. Rajesh

.. Petitioner

Vs

- 1 The District Collector
Thiruvannamalai
Thiruvannamalai District.
- 2 The Commissioner
Thiruvannamalai Municipality
Thiruvannamalai.
- 3 The Tahsildar
Thiruvannamalai Taluk
Anna Salai
Thiruvannamalai.
- 4 Pookara Thuluva Vellalar Naicker Sangam
Rep. by its Secretary
34/2, Polur Road Thuluva Vellalar Complex
Thiruvannamalai Town
5. A.R.Chockalingam
(Impleaded vide order dated 19.7.2023
made in WMP.No.23160 of 2018)

.. Respondents



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Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 3 to remove encroachment in Survey Nos.86 and 87, Block No.4, Ward No.1, Thiruvannamalai Town, in accordance with law and within a stipulated time.

For the Petitioner	: Mr.A.Nileshram
For the Respondents	: Mrs.R.Anitha Special Government Pleader for respondents 1 and 3
	: Mr.K.Magesh for 2 nd respondent
	: Mr.V.Prakash Babu for 4 th respondent
	: Mrs.S.Radha Gopalan for 5 th respondent

ORDER

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

We have heard Mr.A.Nileshram, learned counsel for the petitioner; Mrs.R.Anitha, learned Special Government Pleader for respondents 1 and 3; Mr.K.Magesh, learned counsel for the second respondent; Mr.V.Prakash Babu, learned counsel for the fourth



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respondent; and Mrs.S.Radha Gopalan, learned counsel for the fifth respondent.

2. According to learned Special Government Pleader, inspection has been conducted. Survey No.86 is classified as a water body, whereas Survey No.87 is classified as a temple garden. Encroachment is found. Now notices would be issued by the government to the persons concerned.

3. Learned counsel for the fifth respondent submits that the fifth respondent is the owner of the land in Survey No.87 and has purchased the same under a registered sale deed.

4. Be that as it may, if any notice is issued to the fifth respondent or any other person, then they can file reply to the same along with the documents on which they rely, which naturally would be considered by the authorities before passing final orders.



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The writ petition is disposed of accordingly. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

12.09.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi

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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU,J.

(sasi)

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