



W.P.No.8009 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.8009 of 2023

K.Janagiraman

.. Petitioner

Vs.

1. The District Collector
Villupuram District
Villupuram.
- 2.The Tahsildar
Vanur Taluk
Villupuram District.
- 3.The Block Development Officer
Vanur Block, Villupuram.
4. The President
Eraiyur Village, Vanur Taluk
Villupuram District.
- 5.The Inspector of Police
The Vanur Police Station
Villupuram.



W.P.No.8009 of 2023

WEB COPY

7. The District M-Sand, Granite Quarry
Welfare Association Represented by
its President R.Gopalakrishnan,
Eraiur Village, Vanur Taluk, Villupuram. .. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India
praying for a writ of Mandamus directing the respondents 1 to 4 to
remove the encroachment of the 6th respondent in the Government
Poromboke Cart Track comprised in R.S.No.51/1, measuring an extent
of 0.04.0 Hectare, in Eraiur Village, Vanur Taluk, Villupuram District
as requested by the petitioner in his representation dated 08.12.2022
within a reasonable time as may be fixed by this Hon'ble Court.

For the Petitioner : Mr.A.E.Ravichandran

For the Respondents : Mr.J.Ravindran
Additional Advocate General
assisted by Mr.A.Selvendran
Special Government Pleader
for Respondents 1, 2, 4 and 5
Mr.P.Muthukumar
State Government Pleader
for 3rd respondent

ORDER

(Made by the Hon'ble Acting Chief Justice)

Mr.K.Janagiraman has filed this writ petition praying for issuance
of a writ of Mandamus directing the respondents 1 to 4 to remove the



W.P.No.8009 of 2023

WEB COPY

encroachment of the 6th respondent in the Government Poromboke Cart Track comprised in R.S.No.51/1, measuring an extent of 0.04.0 Hectare, in Eraiyur Village, Vanur Taluk, Villupuram District as requested by the petitioner in his representation dated 08.12.2022.

2. Learned counsel for the petitioner, in support of his submission drew our attention to the proceedings dated 31.12.2021 passed by the Tahsildar, wherein the Tahsildar has specifically mentioned that the said property comprised in R.S.No.51/1 measuring an extent of 0.04.0 Hectate in Eraiyur Village, Vanur Taluk, Villupuram District is classified as 'Vandi Paathai (cart track)'.

3. Though in the said proceedings it is admitted that the land in question is classified as cart track, it is not known as to why the respondents have not come forward to remove the encroachment immediately, as a result of which common people are unable to use the said road in view of the encroachment.



W.P.No.8009 of 2023

WEB COPY

4. Learned Additional Advocate General appearing for respondents 1, 2, 4 and 5 and the learned State Government Pleader appearing for the third respondent, agreeing with the proceedings dated 31.12.2021 wherein it is stated that there is a cart track running in the land covered in R.S.No.51/1 at Eraiyur Village, Vanur Taluk, Villupuram District, sought four weeks time to remove the encroachments.

5. Since the Tahsildar admits that there has been an encroachment in the cart track, this writ petition is disposed of, directing the respondents to remove the encroachments within a period of four 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.)
16.03.2023

Index : Yes/No
Neutral Citation : Yes/No

kst



W.P.No.8009 of 2023

WEB COPY

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W.P.No.8009 of 2023

T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY,J

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W.P.No.8009 of 2023

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