



W.P.No.10466 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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The Principal,
St. Joseph's Matriculation Higher Secondary School,
Veerakoil,
Veeraragavapuram P.O.,
Thiruvallangadu Via,
Thiruvallur-631 210.

.. Petitioner

Vs

- 1.The District Collector of Tiruvallur,
Office of District Collector,
Tiruvallur – 602 001.
- 2.The District Educational Officer,
Dr.Radhakrishnan Govt.(B) HSS Campus,
Old Chennai Bye Pass Road,
Tiruttani-631 209.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office of Thiruthani,
5JP9+CV8, Kasinathpuram,
Tiruttani, Tamil Nadu-631 209.



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4.The Tahsildar,
Office of the Tahsildar,
Tiruttani-631 209.

5.The Inspector of Police,
Thiruvallangadu – 631 210.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the fourth respondent to implement its communication dated 02.12.2021 and 20.06.2022 for removal of the encroachment situated in Survey No.89/18, 90/10 and 96/25 in Veeraragavapuram, Tiruttani Taluk, Tiruvallur District and to maintain the same as cart track.

For the Petitioner : Mr.M.Rajasekar

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 5

ORDER

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

St. Joseph's Matriculation Higher Secondary School, represented by its Principal, Veerakoil, Veeraragavapuram P.O., Thiruvallangadu Via, Tiruvallur, has filed this writ petition for issuance of a writ of mandamus directing the fourth respondent to implement its communication dated 02.12.2021 and 20.06.2022 for removal of encroachment made in Survey Nos.89/18, 90/10 and 96/25 situate at



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Veeraragavapuram, Tiruttani Taluk and to maintain the same as cart track.

2. Mr.S.Rajasekar, learned counsel appearing for the petitioner, submitted that the land in Survey Nos.89/18, 90/10 and 96/25 situate at Veeraragavapuram Village, Tiruttani Taluk, which has been classified as "cart track" is being used by the students and teachers who are coming to and going from the petitioner's school, however the same has been encroached by the neighbouring villagers. Hence, on 14.9.2021, the petitioner has submitted a representation to the third respondent for removal of the encroachment and to maintain the same as cart track.

3. In support of the prayer, learned counsel for the petitioner drew our attention to the copy of "A" register to show that Survey Nos.89/18, 90/10 and 96/25 have been classified as "Vandi Pathai". Learned counsel for the petitioner would submit that since encroachment has been made in the cart track, a direction may be issued to the respondent authorities to remove the same.



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4. At this juncture, Mr.P.Muthukumar, learned State Government Pleader appearing for respondents 1 to 5, submitted that if four weeks' time is granted to the respondent authorities, they will conduct survey of the land in question and, if any encroachment is found, the same will be removed.

5. Recording the submission made by learned State Government Pleader, the writ petition is disposed of with a direction to respondent authorities to conduct a survey of the land in question with the assistance of the jurisdictional Surveyor and, if any encroachment is found to have been made by the encroachers, the same shall be removed after issuing notice to the encroachers. The entire exercise is to be completed 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.)
03.04.2023

Index : No
Neutral Citation : No
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