



WP No.24512 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2023

CORAM :

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

AND

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

WP No.24512 of 2018

C.Suyamprakash

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Petitioner

versus

1.The District Collector
Thiruvallur District

2.The Tahsildhar
Thiruvallur Taluk
Thiruvallur.

3.The Assistant Engineer
Tamil Nadu Distribution Corporation Ltd.
Kadambattur, Thiruvallur.

4.The Sub-Registrar
Perambakkam Vilalge,
Thiruvallur District.

5.The Superintendent of Police
Thiruvallur District, Thiruvallur.

6.R.Nirmala

7.Dakshnamoorthy

8.S.I.Amaldoss

9.B.Murugan

10.Rajkumar

11..Dakshnamoorthy

12.Kasthuri Ammal

...

Respondents

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Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 and 2 to clear all the encroachments made by the respondents 6 to 12 on the government land in survey numbers 308/1 of Perambakkam-A, 274 of Perambakkam-A classified as cart track and water course.

For the Petitioner : Mr.A.P.Suryaprakasam

For the Respondents : Mr.U.Bharanidharan,
Additional Government Pleader,
for respondents 1 to 5

Mr.D.S.Ramesh,
for respondents 6 to 12

ORDER

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

We have heard Mr.A.P.Suryaprakasam, learned counsel for the petitioner, Mr.U.Bharanidharan, learned Additional Government Pleader, for respondents 1 to 5 and Mr.D.S.Ramesh, learned counsel for respondents 6 to 12.

2. It is submitted by learned counsel for the petitioner that counter-affidavit has been filed by the second respondent stating that out of 61 encroachments, 51 encroachments have been removed and in some of them, interim orders are operating.

3. In case where the interim orders are operating, no further orders can be passed. The authorities may take steps pursuant to the orders that would be passed by the court in the pending proceedings.

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4. It is also needless to state that the authorities are required to take steps if encroachments are noticed, and in case the encroachments are noticed and there are no prohibitory orders from the court, then the authorities may take steps in accordance with law.

5. The Writ Petition is disposed of. There will be no order as to costs. Consequently, WMP Nos.28541 to 28543 of 2018 are closed.

(S.V.G., CJ.)

16.06.2023

(P.D.A., J.)

Index : yes/no
Neutral Citation : Yes/No
tar

To:

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Thiruvallur District, Thiruvallur.



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

(tar)

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