



W.P.No.21651 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2023

CORAM :

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

AND

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

W.P.No.21651 of 2023

T.Tamilamudhan

.. Petitioner

Vs

- 1.The District Collector,
Office of the Collector,
Kancheepuram District,
Kancheepuram-631 501.
- 2.The Tahsildar,
Kundrathur Main Road,
Subramaniyan Nagar, Thandalam,
Tamil Nadu – 600 069.
- 3.The Block Development Officer,
Kundrathur Panchayat Union,
Pushpagiri Road,
Padappai, Chennai-601 301.
- 4.The Secretary,
Chennai Metropolitan Development Authority,
Thalamuth Natarajan House,
1, Gandhi Irwin Road, Ansari Estate,



W.P.No.21651 of 2023

Egmore, Chennai, Tamil Nadu – 600 008.

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5.The Directorate of Town and Country Planning,
rep. by its President,
33, Kotrampalayam Street,
Kanchipuram, Tamil Nadu 631 501.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to consider and pass orders on the representation dated 16.6.2023 given by the petitioner for evicting the encroachers as identified by the petitioner by following due process of law.

For the Petitioner : Ms.K.Shubhashini
for M/s.Chennai Law
Associates

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mrs.R.Anitha
Spl. Government Pleader
for respondents 1 to 3

ORDER

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

We have heard Ms.K.Shubhashini, learned counsel for the petitioner, and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader, for respondents 1 to 3.



W.P.No.21651 of 2023

WEB COPY

2. The writ petition is as vague as it could be. No details are given of the alleged OSR lands and the alleged encroachers.

3. The writ petition, it appears, is filed only because a notice is issued by the authority to all the Panchayat Presidents across the Kundrathur Panchayat Union, directing them to make assessment of the OSR lands that were given to the panchayat by way of gift deeds as well as OSR lands obtained by the panchayat after receiving the approval of fourth and fifth respondents. The notice further directed the Panchayat Presidents to set up metal fencing around the OSR lands and erect board stating that the OSR lands belongs to the panchayat and to send a photograph of the same to the third respondent. The Panchayat Presidents were directed by the third respondent to obtain patta, along with chitta and 'A' Register, in favour of the panchayat and planning sketch of these OSR lands within the panchayat. The notice also directed the Panchayat Presidents to maintain records of these OSR lands and to furnish the same to the Assistant Director, when they come for inspection.



W.P.No.21651 of 2023

WEB COPY

4. These are the duties of the Panchayat Presidents. The Panchayat Presidents have to undertake this work. In the present writ petition, we do not find the gift deeds in respect of the OSR lands on record. We also do not find the list of the alleged encroachers. There are no details given. The petitioner, being the Village President, has got a duty with regard to these OSR lands. It is for him to take steps in accordance with law.

With these observations, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.21020 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

24.07.2023

Index : Yes/No
Neutral Citation : Yes/No
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W.P.No.21651 of 2023

WEB COPY

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WEB COPY



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THE HON'BLE CHIEF JUSTICE
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