



W.P.No.24493 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2023

CORAM :

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

AND

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

W.P.No.24493 of 2023

S.Murali

.. Petitioner

Vs

- 1.The District Collector, Kancheepuram
District Collectorate Kancheepuram,
Kancheepuram-631 501.
- 2.The District Revenue Officer, Kancheepuram
Kancheepuram District,
Kancheepuram-631 501.
- 3.The Revenue Divisional Officer,
Sriperumbudur,
Chennai-602 105.
- 4.The Tahsildar,
Kunrathur Taluk, Kunrathur,
Chennai-600 069.
- 5.The Block Divisional Officer,
Kundrathur Panchayat Union,
Padappai-601 301.



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6.Malayambakkam Village Panchayat,
rep. by its President,
Malayamabakkam, Chennai-600 123.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus restraining the respondent, their subordinate and servants etc. in any manner interfere with the petitioner's possession and enjoyment of the property comprised in S.No.31 situated at Malayambakkam Village, Kundrathur Taluk, Kancheepuram District except procedure contemplated under Land Encroachment Act, 1905.

For the Petitioner : Mr.M.V.Seshachari

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 6

ORDER

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

We have heard Mr.M.V.Seshachari, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader for the respondents.

2. Learned counsel for the petitioner submits that the subject writ property is occupied since the year 1977. The respondents are trying to forcibly evict the petitioner.



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3. The subject writ property is comprised in Survey No.31, situated at Malayambakkam Village, Kundrathur Taluk, Kancheepuram District. According to the respondents, the land is classified as "Vandi Paadhai" [cart track].

4. Naturally, nobody has a right to occupy the cart track, nor a patta can be granted in respect of the land classified as cart track. The petitioner would be deemed to be an encroacher. The respondents are at liberty to take action by adhering to the provisions of law.

The writ petition is disposed of accordingly. There will be no order as to costs. Consequently, W.M.P.No.23919 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

21.08.2023

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



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

(sasi)

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