



WEB COPY



W.P.No.24513 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.24513 of 2023

B.Prasad

...Petitioner

Vs.

1.The Collector,
Krishnagiri District,
Krishnagiri.

2.The Commissioner,
Hosur Corporation,
Bagalur Road,
Hosur – 635 109,
Krishnagiri District.

3.The Tahsildar,
Hosur Taluk,
Hosur,
Krishnagiri District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 09.02.2023 to remove the overhead water



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tank and commercial shops constructed by the second espondent in the patta land of the petitioner in Old S.No.558, New S.No.558/3A2 situated at Hosur Town, Krishnagiri District.

For Petitioner : Mr.V.Elangovan

For Respondents : Mrs.S.Anitha,
Special Government Pleader

ORDER

This Writ Petition is filed seeking a direction to the respondents to consider the representation of the petitioner dated 09.02.2023 to remove the overhead water tank and commercial shops constructed by the second respondent in the patta land of the petitioner in Old S.No.558, New S.No.558/3A2 situated at Hosur Town, Krishnagiri District.

2. According to the petitioner, 25 cents of the land situated in S.No.558/3A2 belonged to him and the Government has taken over 7 cents of the land with the above said Survey numbers for the purpose of construction of new bus stand. The remaining 17 cents of the land had been in possession and enjoyment of the petitioner.



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3. The second respondent during Covid-19 lock down illegally entered into the property in possession of the petitioner and put up overhead water tank and commercial shops. Several objections made by the petitioner did not evince any response from the respondents.

4. In such circumstances, the petitioner submitted a representation dated 09.02.2023 to the second respondent requesting him to remove the encroachment made in the 17 cents, namely the property remaining with the petitioner. Though the petitioner prayed for positive directions to the second respondent to remove the overhead water tank and commercial shops constructed by the second respondent in his patta land, this Court is not inclined to issue such a positive direction. However, in view of the fact that the petitioner already submitted a representation before the second respondent, a direction is issued to the second respondent to consider the representation of the petitioner and pass final orders on merits and in accordance with law, within a period of six weeks from the date of receipt of copy of this order.



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S.SOUNTHAR, J.

dna

5. With the above direction, this Writ Petition is disposed of. No costs.

21.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
dna

To

- 1.The Collector,
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Krishnagiri.
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