



W.P.No.7109 of 2017

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2023

CORAM :

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

AND

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

W.P.No.7109 of 2017

R.John Robert

.. Petitioner

Vs.

1. The State of Tamil Nadu
Represented by Secretary
Revenue Department
Fort St. George
Chennai – 9.
2. The State of Tamil Nadu
Represented by Principal Secretary
/ Commissioner of land administration
Chepauk, Chennai – 5.
3. The District Collector
Krishnagiri, Krishnagiri District.
4. The Revenue Divisional Officer
Hosur, Krishnagiri District.
5. The Superintendent of Police
Krishnagiri, Krishnagiri District.



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6. The Tahsildar
Hosur, Krishnagiri District.

7. M/s. Codename Five Rings Sport City
Developed by Excel Dwelling India Pvt. Ltd.
Rep. By its Managing Director
No.9/10, Ground Floor
Prestige Tower, Residency Road
Bangalore – 560 025.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents 1 to 6 to remove the encroachments at Kakkanoor Village, Poramboke land in S.No.96/1, 96/2, 96/3 made by the 7th respondent and take appropriate action against the encroachers.

For the Petitioner : No Appearance

For the Respondents : Mrs.R.Anitha
Special Government Pleader
for R1 to R6

No appearance for R7

ORDER

(Made by the Hon'ble Chief Justice)

None appears for the petitioner. We heard Mrs.R.Anitha, learned Special Government Pleader for respondents 1 to 6.



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2. A status report is filed on record. The status report reads thus:

"One Mr. John Robert S/o Roberts as filed a writ petition 7109/2017 before the Hon'ble High Court Chennai Madras to evict the encroachments in the Kakkanoor Village Survey Numbers 96/1, 96/2, 96/3, 108, 111/3 and 111/5 Poromboke lands of Hosur Taluk in Krishnagiri District. In this connection above lands are classified in Revenue records as below.

<i>Survey Number</i>	<i>Extent</i>	<i>Classification</i>
96/1	2.16.5	Grazing land
96/2	0.56.5	Oni
96/3	0.17.0	Grazing land
108	0.43.0	Vaari
111/3	0.44.5	Private Patta Land
111/5	0.44.5	Anadheenam

In this writ petition counter affidavit has been filed by the 6th respondent for himself and for respondent 1 to 5 in the year 2017 and with regards to Kakkanoor Village Survey number 96/2 classified as "Oni Poromboke" road was developed by M/s.Excel Dowelling India Private Ltd. without obtaining any permission from concern Department.



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In other survey numbers there is no encroachments in the filed. Respondent No.6 has taken legal steps to evict the encroachment of Tamil Nadu Encroachment Eviction Act 1905 u/s 7 Notice has been issued to the Encroacher.

Subsequently, the suit lands was inspected by the Tahsildar, Hosur on 08.07.2023 entire land was measured and prepare map showing the encroachments after identity.

Encroachment Details as given below:-

<i>Survey Number</i>	<i>Extent</i>	<i>Classification</i>	<i>Encroachment Areas (Hect)</i>
96/1	2.16.5	Grazing land	0.05.67
96/2	0.56.5	Oni	0.12.75
108	0.43.0	Vaari	0.03.75
111/5	0.44.5	Anadheenam	0.03.85

Further, to remove the said encroachments No.6 notice is issued under Tamil Nadu Encroachment Eviction Act, 1905 to the encroachers to evict the encroachment in the above survey numbers the date of eviction is fixed on 24.07.2023 if the encroacher is not evict by his own."



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3. Steps are being taken by the official respondents and to evict the encroacher, in respect of the survey numbers as detailed above, the date is fixed on 24.07.2023 if the encroacher does not evict on its own.

4. In view of the aforesaid status report, no further orders are necessary in this writ petition. The writ petition, as such, is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

12.07.2023

Index : Yes/No
Neutral Citation : Yes/No

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