



W.P.No.26259 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2023

CORAM :

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

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

W.P.No.26259 of 2023

Pappathee

.. Petitioner

Vs

- 1.The District Collector,
Chengalpattu District.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority,
Gandhi Erwin Road,
Chennai-8.
- 3.The Tahsildar,
Pallavaram Taluk,
Chennai-600 043.
- 4.The Assistant Engineer,
Public Works Department,
Water Resources Organisation,
Adyar Irrigation Work,
St. Thomas Mount,
Chennai – 600 016.
- 5.The Revenue Divisional Officer,
Tambaram,
Chennai-45.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the entire records of the fourth respondent vide impugned notice dated 28.6.2023 and quash the same as void and illegal and consequently restrain the respondents from dispossession the petitioner from her house property in Door No.120, Jawaharlal Nehru Road, Anakaputhur Village, Chengalpattu District-70 which is situated in old Survey No.182 and new Survey No.182/1 to an extent of 2060 sq. ft.

For the Petitioner : Mr.Sairaman

For the Respondents : Mr.P.Muthukumar
State Government Pleader

ORDER

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

We have heard Mr.S.Sairaman, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government for the respondents.

2. Learned counsel for the petitioner submits that the petitioner has no concern with Survey Nos.178, 181, 136 and 113/2 in Anakaputhur Village, Chengalpattu District. The petitioner occupies Survey No.182. Still the impugned notice is issued.



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2. Learned State Government Pleader submits that the encroachment is made in Survey No.181 and, as such, the notice is issued.

3. Admittedly, the petitioner does not have concern with Survey Nos.178, 181, 136 and 113/2. If at all encroachment is made on these survey numbers, the Government will have every right to evict the encroachers. According to learned State Government Pleader, measurement has already been conducted.

4. In view of the statement that the encroachment is sought to be removed only from Survey Nos.178, 181, 136 and 113/2 and the petitioner is not concerned with these survey numbers, no further orders would be necessary. If the petitioner is aggrieved by the measurement carried out, it is for the petitioner to avail remedy in accordance with law.



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5. With these observations, the writ petition is disposed of.

There will be no order as to costs. Consequently, W.M.P.Nos.25660 and 25662 of 2023 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

07.09.2023

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKE SAVALU, J.

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