



W.P.No.7967 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2023

CORAM :

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

AND

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

W.P.No.7967 of 2017

P.G.Mohan

.. Petitioner

Vs

- 1 The District Collector  
Kancheepuram District  
Kancheepuram.
- 2 The Tahsildar  
Chengalpet Taluk  
Chengalpet.
- 3 The Commissioner  
Urapakkam Panchayat Union  
Kanchipuram District - 603 211.
- 4 M.Hariharasudan
- 5 M.Seethalakshmi
- 6 M.Malaichamee

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 3 herein to remove the encroachment in and over 20 feet wide Guruvayurappan Street, Kilambakkam, Urapakkam, Kancheepuram District - 603 211 and restore the said Guruvayurappan Street to its original condition and prevent any further encroachment on 20 feet wide Guruvayurappan Street, Kilambakkam, Urapakkam, Kanchipuram District - 603 211 either by respondents 4 to 6 or anybody else.

For the Petitioner : Mr.B.Harikrishnan

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

ORDER

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

Heard Mr.B.Harikrishnan, 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.



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2. Learned counsel for the petitioner submits that respondents 4 and 5 have purchased the property on 29.4.2015. To the south of their land, the boundary is shown as 20 feet road. After six months, a rectification deed is executed showing the southern boundary as 2 metre passage, i.e., 6 feet road.

3. No revenue record is placed to substantiate the existence of the 20 feet road.

4. Learned State Government Pleader has placed on record a communication 3.7.2023. It is stated in the said communication that the land comprised in Survey Nos.135/3A1 and 15/3A2 has been inspected and it was found that it is an unapproved house-site layout. It is further stated that enquiry notice has been served on respondents 4 and 5 to survey the aforesaid fields on 7.7.2023 in the presence of the petitioner. The communication further states that, at the time of survey if any encroachment is identified, action will be taken to remove the encroachment as per law.



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In the light of the same, no further orders are necessary. The writ petition, as such, is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

03.07.2023

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

To:

- 1 The District Collector  
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Chengalpet.
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Urapakkam Panchayat Union  
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THE HON'BLE CHIEF JUSTICE  
AND  
P.D.AUDIKESSAVALU,J.

(sasi)

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