



W.P.No.29443 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.10.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.29443 of 2023

D.Raja

.. Petitioner

Vs.

1. The Principal Secretary to Government
Rural Development, Panchayats and Panchayat Union
Secretariat, Fort St. George
Chennai – 600 009.
2. The District Collector
Chengalpattu District
Chengalpattu – 603 001.
3. The Assistant Director (Panchayats)
Collectorate, Chengalpattu District
Chengalpattu – 603 001.
4. The Revenue Divisional Officer
Tambaram Revenue Division
Tambaram – 600 045.
5. The Tahsildar
Vandalur Taluk
Vandalur – 600 048.

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6. The Block Development Officer
Thiruporur Block, Thiruporur – 603 110.
7. The Village Administrative Officer
O/o. the VAO, Siruseri Village
Chengalpattu – 603 103.
8. The President
Siruseri Village, Chengalpattu – 603 103.
9. The President
Siruseri Village
Chengalpattu District – 603 103.
10. M/s.Alliance Infrastructure Projects Private Limited
Rep. by its Authorised Signatory
Having Office at:
Plot No.'A', No.36/1
Gandhi Mandapam Road
Kotturpuram, Chennai – 600 085.
11. M/s.Alliance Budget Housing India Pvt. Ltd.
Rep. by its Authorised Signatory
Having Office at:
Plot No.'A', No.36/1
Gandhi Mandapam Road
Kotturpuram, Chennai – 600 085. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents 1 to 8 herein to inspect the OSR land to an extent of 71.1 cents, comprised in S.No.152, S.No.139/1 and S.No.152(Part), situated at Siruseri Village, Vandalur Taluk, Chengalpattu District and to consequently remove the encroachments made by the 9th and 10th respondents herein on the said OSR land, thereby permitting the villagers to have free access to the OSR land based on the representation dated 27.06.2023.



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For the Petitioner : Mr.G.Sambath Kumar

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by Mrs.R.Anitha
Special Government Pleader
for R1 to R7

ORDER
(Made by the Hon'ble Chief Justice)

Heard Mr.G.Sambath Kumar, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader assisted by Mrs.R.Anitha, learned Special Government Pleader appearing for respondents 1 to 7.

2. It is submitted that the private respondents herein had executed a gift deed in favour of the Planning Authority in respect of the OSR land, however, now, the said land is being encroached upon by the respondents. They are putting building waste, construction materials, tall arch at the entrance, dumping debris and polluting the said land. A representation is given by the petitioner to the Planning Authority.



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3. The petitioner is supposed to place the sanctioned layout on record. More over, there is nothing on record to substantiate that the construction is actually being carried out on the OSR land. The petitioner has to demonstrate the same by virtue of some documents. In absence of the same, orders cannot be passed.

4. The petitioner has given a representation on 27.06.2023 by RPAD and if the same is received by the Planning Authority, then the petitioner may prosecute the representation before the Planning Authority, as may be permissible under law.

5. In view of that, the writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No

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