



W.P.No.3 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.3 of 2023

M.Babu Kennadi

..

Petitioner

v

1. The District Collector
District Collector Office
Kallakurichi

2. The Chief Educational Officer
Office of Chief Educational Officer
Kallakurichi

3. The Revenue Divisional Officer
Kallakurichi

4. The Thasildar
Ulundurpet, Kallakurichi District

5. Kannappan
S/o Manickkam

..

Respondents



W.P.No.3 of 2023

Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 3 and 4 to take appropriate action to remove the encroachment caused by the 5th respondent over the playground of the Government Higher Secondary School, Kalamarudhur Village, Kalamarudhur, Kallakurichi District comprised in SF.No.91 of Kalamarudhur Village, Kallakurichi District within an appropriate time.

For Petitioner :: Mr.R.Nalliyappan

For Respondents :: Mr.P.Muthukumar
State Government Pleader
for R1 to R4

ORDER

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

Mr.M.Babu Kennadi has filed this writ petition seeking for removal of encroachment in the land belonging to the Government Higher Secondary School, Kalamarudhur Village, Kallakurichi District in S.F.No.91 of Kalamarudhur Village. It is stated that when the petitioner has given repeated representations, finding no response, he has come to this Court. In the affidavit filed in support of the writ petition, details of the representation have not been mentioned. However, the learned counsel appearing for the petitioner has shown to us the copy of the representation dated 27.09.2021.



W.P.No.3 of 2023

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2. Mr.P.Muthukumar, learned State Government Pleader, taking notice on behalf of the respondents 1 to 4, sought for six weeks time to conduct a survey and to do the needful, if the survey report discloses any encroachment having been made in the place in question.

3. Accepting the request made by the learned State Government Pleader, the respondents 3 & 4 are directed to conduct a precise survey and if the survey report discloses that any encroachment has been made in the place in question, the same shall be removed within a period of six weeks from the date of receipt of a copy of this order. With this direction, the writ petition stands disposed of. However, there shall be no order as to costs.

Speaking/Non speaking order

(T.R.,A.C.J.) (D.B.C.,J.)

Index : yes/no

03.01.2023

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W.P.No.3 of 2023

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W.P.No.3 of 2023

THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

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W.P.No.3 of 2023

03.01.2023