



W.P.No.31852 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.31852 of 2023

K.Dhakshnamoorthy

.. Petitioner

Vs.

1. Government of Tamil Nadu
Rep. by its Chief Secretary
Fort St.George, Chennai – 600 009.
2. The District Collector
Collectorate Office
Thirupathur District.
3. The District Revenue Officer
District Revenue Office
Thirupathur Taluk, Thirupathur.
4. The Tahsildar
Tahsildar Office
Kanthili Village and Post
Thirupathur Taluk, Thirupathur.
5. Block Development Officer
Block Development Office
Kanthili Village and Post
Thirupathur Taluk, Thirupathur.



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6. The Panchayat President
Periyakaram Panchayat
Periyakaram Village and Post
Thirupathur Taluk, Thirupathur.
7. Assistant Director of Survey
Commissionerate of Survey and Settlement
Thirupathur.
8. Natarajan .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents to demolish the primary health centre in my Manaivari patta land or in the alternate to pay adequate compensation as per the Land Acquisition and Rehabilitation and Resettlement Act, 2013 for the extent of my Manaivari Patta land which has been encroached to an extent of 186.48 sq.ft. on north eastern side feet on the northern side of my land along with compensation and other consequential relief.

For the Petitioner : Mr.D.Selvam

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for R1 to R7

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.D.Selvam, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader for respondents 1 to 7.



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2. Learned counsel for the petitioner submits that the respondents have encroached upon the land of the petitioner and are trying to construct a public health centre in the petitioner's land. Learned counsel further submits that an application has been given for measurement of the property of the petitioner along with necessary fees, but the respondent authorities are not measuring the land.

3. In case the petitioner has filed an application for measurement, complete in all respects, along with necessary fees, then it is the bounden duty of the authorities to measure the land.

4. The authorities shall process the application of the petitioner within a period of four weeks from today and if the said application is found in order, the authorities shall take up the measurement in accordance with the rules. If any encroachment is found during the measurement, then the petitioner may take further steps.



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5. In view of the aforesaid, 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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THE HON'BLE CHIEF JUSTICE
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