



W.P.No.26518 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2023

CORAM :

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

AND

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

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- 1 S. Vijay Ram Vincent
- 2 Srinivasa Rao
- 3 Chandar Fernando
- 4 Augustine
- 5 Sukumar
- 6 Daniel
- 7 Suresh
- 8 C. Prakash

.. Petitioners

Vs

- 1 The Collector
Kanchipuram Collectorate
Kanchipuram - 631 501.
- 2 The Additional Personal Assistant (land)
Kanchipuram Collectorate
Kanchipuram - 631 501.
- 3 The Chairman/ Member Secretary
Chennai Metropolitan Development Authority
1, Gandhi Irwin Road, Egmore
Chennai - 08.



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- 4 The District Revenue Officer
Collectorate Office, Kanchipuram.
- 5 The Revenue Divisional Officer
Tambaram Taluk
Taluk Office Complex
Chennai – 45.
- 6 The Tahsildar
1 Rajiv Gandhi Salai
Sholinganallur
Chennai – 119.
- 7 The Block Development Officer
St Thomas Mount Panchayat Union
No.1 Chitlapakkam 1st Main Road
Chitlapakkam, Chennai – 64.
- 8 The Revenue Inspector (land)
Medawakkam Circle Chennai – 100.
- 9 The Village Administrative Officer
Sithalapakkam Village, Chennai – 126.
- 10 The Secretary
Sithalapakkam First Grade Panchayat
Chennai – 126.
- 11 The President
Jubilee Flats Owners & Residents Association
122/17 Jubilee Flats No.7 B-Block
Sithalapakkam Kancheepuram – 126.
- 12 The Secretary
St. Antonys Church
Sithalapakkam Village
Chennai - 126



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13 The Commissioner
Commissioner of Panchayat Union
Sithalapakkam Village, Chennai – 126.

14 The Inspector of Police
S10 Pallikaranai Police Station
Chennai.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus based on the petitioner's representations and the respondents direction/orders to remove the encroachment of the 12th respondent in Open Space Reservation Area i.e. Jubilee Flats Park and land for an extent of 10566 sq.ft. situated Near Jubilee flats, Sithalapakkam, Chennai - 600 126, more fully described in registered document (Gift deed) No.4122/2000 dated 28.08.2000 before S.R.O. Tambaram.

For the Petitioners	: No appearance
For the Respondents	: Mr.P.Muthukumar State Government Pleader assisted by Mrs.R.Anitha Special Government Pleader for respondents 1,2, 4 to 9, 13 and 14
	: Ms.P.Veena Suresh for 3 rd respondent
	: Not ready in Notice for respondents 10 to 12



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ORDER

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

None appears for the petitioners. We have heard Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader, for respondents 1, 2, 4 to 9, 13 and 14; and Ms.P.Veena Suresh, learned counsel for the third respondent.

2. Learned State Government Pleader, on the basis of the communication issued by the Tahsildar, submits that the land in Survey No.37/23 admeasuring 0.70 hectares has been recorded as Patta No.1724 in the name of B.M.Jharge and others and area to the extent of 10556 sq.ft. from Survey No.37/23 is gifted to the President, St. Thamas Union for the purpose of Open Space Reservation. The survey was conducted on 28.7.2023. The land is encroached.

3. Learned State Government Pleader submits that, in the



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light of the aforesaid survey report, further action would be taken by the respondent authorities in accordance with law.

In view of the above statement made by learned State Government Pleader, the writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.28995 of 2017 is closed. W.M.P.No.28235 of 2017 filed by the petitioners to file a writ petition jointly is allowed and disposed of.

(S.V.G., C.J.)

(P.D.A., J.)

12.09.2023

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

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