



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.39420 of 2004

Sambalammal W/o. Sarangabani Reddiar

... Petitioner

Vs.

1.The Special Commissioner & Commissioner,
Land Administration, Chepauk,
Chennai-600 005.

2. The District Revenue Officer,
Kancheepuram District.

3. D. Purushothaman S/o. Dasaratha Reddy

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records from the 1st respondent in Proceedings dated 01.04.2004 in D. Dis. (K3)OSA / RP1/ 2004(2703/3) and quash the impugned order and further directing the respondents 1 and 2 to cancel the Patta issued in favour of the 3rd respondent in respect of 2.69 Acres of Wet lands in S. No.139/8, Thandalam Village, Sriperumbudur Taluk, Kancheepuram District.



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For Petitioner : Mr. N.R. Anantha Rama Krishnan
For Respondents : Mr. G. Krishnaraja
Additional Government Pleader
[for R1 and R2]
No appearance [for R3]

ORDER

This Writ petition has been filed seeking to quash the Proceedings dated 01.04.2004 in D. Dis. (K3)OSA / RP1/ 2004(2703/3) and further to direct the respondents 1 and 2 to cancel the Patta issued in favour of the 3rd respondent in respect of 2.69 Acres of Wet lands in S. No.139/8, Thandalam Village, Sriperumbudur Taluk, Kancheepuram District .

2. With reference to the above impugned order vide proceedings dated 0104.2004, issues were settled. However, the learned counsel for the petitioner would submit that in respect of portion of the 55 cents, the issues are yet to be settled. It is for the petitioner to work out separately.

3. The learned Additional Government Pleader would submit that the subject property has been classified as 'குட்டை புறம்போக்கு', which is a water-body. If any portion of the property is identified as water-body, then the



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competent authority is bound to initiate appropriate action. Therefore, the respondents are directed to conduct a survey in respect of the subject property and find if there is any encroachment of water body, then appropriate action to be initiated to remove the encroachment and to protect in the manner known to law.

4. With this observation, this Writ petition stands disposed of. No order as to costs.

05.01.2024

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
mjs

To

1. The Special Commissioner & Commissioner,
Land Administration, Chepauk,
Chennai-600 005.

2. The District Revenue Officer,
Kancheepuram District.



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S.M.SUBRAMANIAM, J.

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