



W.P.No.8650 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2024

CORAM :

THE HON'BLE MR. JUSTICE S.S.SUNDAR
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.P.No.8650 of 2023

P.Srinivasulu

.. Petitioner

v.

1. District Collector
First Floor, Collectorate
Kancheepuram 631 501
2. Block Development Officer
Sriperumbudur
Sarala Nagar, Kanchipuram SH-110
Kodambakkam Sriperumbudur Road
Kanchipuram 602 105
3. Revenue Divisional Officer
Sriperumbudur
6/114, Pattnoolchathram
Sriperumbudur, Tamil Nadu 602 105
4. Shri Venkateswara Engineering College
Post Bag No.1, Pennalur Village
Chennai-Bengaluru High Road
Sriperumbudur Taluk, Tamil Nadu 602 117



W.P.No.8650 of 2023

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5. The Executive Officer
Sriperumbudur Town Panchayat
Sriperumbudur
Kanchipuram District
(R5 suo motu impleaded vide
order dt. 21.03.2023 in WP.8650/23) .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondent 1-3 to stop the construction of concrete wall enclosing the roads 30 feet main road and 30 feet road named Arunasalam Street earmarked in layout titled “Ethiraj Nagar, Layout of House site in R.S.Nos.102/4, 102/5 and 103/3,4,5” in No.123, Ethirajan Nagar, Pennalur Vilalge, Sriperumbudur Taluk, Kancheepuram District and ensure the same is maintained as a public road.

For Petitioner	::	Mr.E.Manoharan
For Respondents	::	Mr.M.R.Gokulkrishnan Addl.Government Pleader for R1 and R3 Mrs.AL.Ganthimathi Senior Counsel for Mr.L.Palanimuthu for R4 No appearance for R2 & R5

ORDER

(Order of the Court was made by S.S.SUNDAR,J.)

This writ petition is filed seeking for issuance of a mandamus to the respondents 1 to 3 to stop the construction of concrete wall encroaching the 30 feet main road and 30 feet road named Arunasalam Street earmarked in



W.P.No.8650 of 2023

layout titled “Ethiraj Nagar, Layout of House site in R.S.Nos.102/4, 102/5 and 103/3,4,5” in No.123, Ethirajan Nagar, Pennalur Vilalge, Sriperumbudur Taluk, Kancheepuram District and ensure the same is maintained as a public road.

2. Considering the fact that the petitioner, though has come by way of the writ petition for issuance of a positive direction to the respondents 1 to 3 to stop the construction of concrete wall encroaching the 30 feet main road named Arunasalam Street earmarked in layout, this Court is of the view that the official respondents will have to initiate action after issuing notice to the petitioner as well as the fourth respondent. Hence, the third respondent is directed to ensure the survey of land by the Taluk Surveyor, in the presence of the petitioner and the fourth respondent, to identify the survey fields and boundary and to fix whether the fourth respondent is in encroachment of any road portion. The Tahsildar concerned, after survey in the presence of parties, is directed to serve a copy of the report as well as the survey plan to the petitioner as well the fourth respondent. The respondents 1 to 3 & 5 shall thereafter take action in accordance with law in the light of the survey



W.P.No.8650 of 2023

report. In case the report of the Tahsildar-Revenue is to the effect that there is an encroachment by the fourth respondent, the respondents 1 to 3 & 5 are directed to remove the encroachment after following due process of law, within a period of six months from the date of receipt of a copy of this order. The writ petition stands disposed of. Consequently, W.M.P.Nos.8827 & 8829 of 2023 are closed. No costs.

Index : yes/no

(S.S.S.R.,J.)

(N.S.,J.)

Neutral citation : yes/no

28.06.2024

SS

To

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W.P.No.8650 of 2023

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W.P.No.8650 of 2023

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SS

W.P.No.8650 of 2023

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