



WEB COPY



WP.No.11055 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **23.04.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.11055 of 2024

R.Shanmuam

.. Petitioner

Versus

1. The Collector,
Kanchipuram District, Kanchipuram.
2. The Revenue Divisional Officer,
Vedachalam Nagar Extension, Gem Nagar,
Kanchipuram, Kanchipuram – 631 502.
3. The Tahsildar,
Taluk Office, Kancheepuram.
4. The District Registrar,
District Registrar Office, Kanchipuram.
5. The Assistant Director,
Land Survey and Records Department,
Kanchipuram District.
6. The Municipal Commissioner,
Kancheepuram.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the third respondent to consider the representation dated 24.12.2021, 18.02.21 to conduct an enquiry



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pertaining to the said illegal subdivision as survey number 1639/3/A1k, within a stipulated time frame fixed by this Court.

For Petitioner : Mr.A.Arvind Athithan

For Respondent : Mr.S.Arumugham
Government Advocate – R1 to R5

Mr.RA.Gopinath – R6

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to direct the third respondent to consider the representation of the petitioner dated 24.12.2021 and 18.02.2021 to conduct an enquiry pertaining to the said illegal subdivision as survey number 1639/3/A1k, within a stipulated time frame fixed by this Court.

3. Heard learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 5 and the learned standing counsel appearing for the sixth respondent and perused the materials available on record.



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WEB COPY 4. The case of the petitioner is that he purchased the subject property by a registered sale deed dated 08.10.1980. His further case is that the petitioner and the adjacent land owners gifted their land in favour of the sixth respondent for Open Space Reservation. While so, the adjacent land owners concealing the land gifted by them towards OSR started plotting their lands and also sold them to third parties. The grievance of the petitioner is that the sixth respondent instead of acquiring the gifted lands by the adjacent land owners have indulged in illegally acquiring the lands of the petitioner. In this regard, the petitioner has given a representation to the third respondent. However, no action has been taken on the representation of the petitioner. Hence, the present Writ Petition.

5. Considering the limited relief sought for in this writ petition, there shall be a direction to the third respondent to consider the representations of the petitioner dated 24.12.2021 and 18.02.2021, to conduct an enquiry pertaining to the said illegal subdivision of survey Nos.1639/3/A1k and pass Orders on the same in accordance with law within a period of two months from the date of receipt of a copy of this order, after giving proper opportunity to neighbouring plot owners.



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WEB COPY 6. With the above direction, this writ petition is disposed of. No costs.

23.04.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,

1. The Collector,
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N. SATHISH KUMAR, J.

VRC

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