



W.P.No.15928 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.15928 of 2024

M.P.VEERASAMY
EX-PRESIDENT CUM EXECUTIVE AUTHORITY,
MANAMAI VILLAGE PANCHAYAT AND POST,
VIA KALPAKKAM - 603 102,
THIURKAZHUKUNDRAM TALUK,
CHENGALPATTU DISTRICT.

.. Petitioner

Vs

1. THE SECRETARY
REVENUE AND DISASTER MANAGEMENT DEPARTMENT,
GENERAL UNIT, SECRETARIAT,
CHENNAI-600 009.
2. THE DISTRICT COLLECTOR
OFFICE OF THE COLLECTORATE,
CHENGALPATTU DISTRICT - 603 001.
3. THE DIRECTOR OF TOWN AND COUNTRY PLANNING
2ND, 3RD AND 4TH FLOOR, C AND E MARKET ROAD,
KOYAMBEDU, CHENNAI - 600 107.
4. THE ASSISTANT DIRECTOR
DISTRICT TOWN AND COUNTRY PLANNING OFFICE,
CHENGALPATTU DISTRICT.



W.P.No.15928 of 2024

WEB COPY

5. THE TAMIL NADU REAL ESTATE REGULATORY AUTHORITY (TNRERA)
1ST FLOOR, NO.1A, GANDHI-IRWIN BRIDGE ROAD,
EGMORE, CHENNAI-600 008.
6. THE THASILDAR
OFFICE OF THE THASILDAR,
THIRUKAZHUKUNDRAM,
CHENGALPATTU DISTRICT.
7. THE BLOCK DEVELOPMENT OFFICER (VILLAGE PANCHAYAT)
THIRUKAZHUKUNDRAM PANCHAYAT UNION,
THIRUKAZHUKUNDRAM,
CHENGALPATTU DISTRICT.
8. THE SUB-REGISTRAR
OFFICE OF THE S.R.O.,
THIRUKAZHUKUNDRAM,
CHENGALPATTU DISTRICT.
9. C.DILIP KUMAR
PROPRIETOR, M/S.HARINI CITY PARADISE,
NO.46, POES ROAD, IIND STREET,
OPPOSITE TO RAJ TV,
TEYNAMPET,
CHENNAI - 600 018.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to remove the encroachment made by the 9th respondent on the channel of the excess over flow water of the Tharkasu Thangal Lake by putting up cement concert wall as well as making unapproved residential plots, vide recommendation of the 1st respondent in his Letter No.977/ General-3(i)/2024-1 dated 01.02.2024 to the 2nd respondent based on the petitioner's representation dated 24.07.2023, within a stipulated time.



WEB COPY



W.P.No.15928 of 2024

For the Petitioner : Mr.M.Aloysius Raja Pragash

For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader
for respondents 1 to 4, 6 and
8

ORDER

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

The petitioner has filed this writ petition seeking issuance of a writ of mandamus directing the first respondent to remove the encroachment made by respondent No.9 on the channel of the excess over flow water of Tharkasu Thangal Lake.

2. Mr.A.Edwin Prabakar, learned State Government Pleader, who accepts notice on behalf of respondents 1 to 4, 6 and 8, on instructions, submitted that the land in question would be surveyed and, if any encroachment is found, the same would be removed after following the due process of law.

3. Recording the submission made by learned State



W.P.No.15928 of 2024

Government Pleader, the writ petition is disposed of by directing the respondent authorities to survey the land in question within a period of two weeks from the date of receipt of a copy of this order and, upon survey, if any encroachment is found, the same shall be removed in accordance with law, within a period of eight weeks thereafter, of course after issuing notice to all concerned, including the private respondent. There shall be no order as to costs.

(R.M.D., ACJ.) (M.S.Q., J.)
03.07.2024

Index : Yes/No
NC : Yes/No
bbr



W.P.No.15928 of 2024

To:

1. THE SECRETARY
REVENUE AND DISASTER MANAGEMENT DEPARTMENT,
GENERAL UNIT, SECRETARIAT,
CHENNAI-600 009.
2. THE DISTRICT COLLECTOR
OFFICE OF THE COLLECTORATE,
CHENGALPATTU DISTRICT - 603 001.
3. THE DIRECTOR OF TOWN AND COUNTRY PLANNING
2ND, 3RD AND 4TH FLOOR, C AND E MARKET ROAD,
KOYAMBEDU, CHENNAI - 600 107.
4. THE ASSISTANT DIRECTOR
DISTRICT TOWN AND COUNTRY PLANNING OFFICE,
CHENGALPATTU DISTRICT.
5. THE TAMIL NADU REAL ESTATE REGULATORY AUTHORITY (TNRERA)
1ST FLOOR, NO.1A, GANDHI-IRWIN BRIDGE ROAD,
EGMORE, CHENNAI-600 008.
6. THE THASILDAR
OFFICE OF THE THASILDAR,
THIRUKAZHUKUNDRAM,
CHENGALPATTU DISTRICT.
7. THE BLOCK DEVELOPMENT OFFICER (VILLAGE PANCHAYAT)
THIRUKAZHUKUNDRAM PANCHAYAT UNION,
THIRUKAZHUKUNDRAM,
CHENGALPATTU DISTRICT.
8. THE SUB-REGISTRAR
OFFICE OF THE S.R.O.,
THIRUKAZHUKUNDRAM,
CHENGALPATTU DISTRICT.



WEB COPY



W.P.No.15928 of 2024

THE HON'BLE ACTING CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ,J.

bbr

W.P.No.15928 of 2024

03.07.2024