



W.P.No.23570 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2024

CORAM :

THE HON'BLE MR. D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

and

THE HONOURABLE MR.JUSTICE P.B.BALAJI

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Y.Hariharan

... Petitioner

Vs.

1. The District Collector,
Thiruvallur District, Thiruvallur.

2. The Commissioner/Special Officer,
Minjur Panchayat Union, Minjur,
Thiruvallur District.

3. The Tahsildar, Ponneri Taluk,
Thiruvallur District.

4. The Block Development Officer,
Minjur, Thiruvallur District.

5. N.Ethirajan

6. M.Upendra

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India

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seeking for issuance of Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 and 6 by putting up the illegal fencing in the public road.

For Petitioner : Mr.D.Rajendran

For Respondents : Mr.M.Habeeb Rahman, Government Advocate
for respondents 1 to 3.

ORDER

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

This writ petition has been filed to direct the respondents 1 to 4 to remove the encroachment made by the respondents 5 and 6 by putting up the illegal fencing in the public road.

2. According to the petitioner, the properties comprised in S.No.82/3 Part, 84/1 part and 84/2 part of Devadhanam Village, Ponneri Taluk, Thiruvallur District has been developed into plots as Deepam Nagar lay out and it was approved from DTCP and for such approval 11 streets and 3 parks comprised in the said survey numbers have been gifted in favour of the Panchayat Union, vide gift deed dated 14.06.2018, registered as



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doc.No.3738 of 2018. The roads in the said survey numbers have been entirely encroached by the respondents 5 and 6 by putting up fencing and it is under their control for their inclusive enjoyment. In view of the above, the general public finds it very difficult to use the said road and plying vehicle. Hence, the petitioner made a representation to the respondents 1 to 4 on 15.10.2023, however, no action has been taken. Hence this writ petition.

3. The learned Government Advocate submitted that, the barbed wire fencing put up by the 6th respondent in the subject matter of the property was removed by the Panchayat President, Devadanam Village and in this regard, a letter sent by the Block Development Officer, Minjur to the Government Advocate, dated 20.08.2024 along with the photographs were placed before this Court.

4. In view of the submission made by the learned Government, no further order is required to be passed in the writ petition. Hence this writ petition is disposed of. There shall be no order as to costs.

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(D.K.K., A.CJ.)

(P.B.B.J.)

05.09.2024

Internet: Yes/No
Index : Yes/No
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To

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THE HON'BLE ACTING CHIEF JUSTICE

and

P.B.BALAJI, J.

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