



W.P.No.12469 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2024

CORAM :

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

W.P.No.12469 of 2024

Mr.N.R.G.Rao .. Petitioner

v.

1. The District Collector
Krishnagiri
Krishnagiri District 635 115
2. The Commissioner
Hosur Municipality
Hosur, Krishnagiri
Krishnagiri District 635 115
3. The Thasildar
Hosur, Krishnagiri
Krishnagiri District 635 115
4. Mr.Venkatesan
H/o Radha .. Respondents

Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a Writ of Mandamus, directing the respondents 2 &
3 to take appropriate action in pursuant to the proceedings of the 1st



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respondent in Na.Ka.4310/2023/A1 dated 13.10.2023, in which the 1st respondent directed the 2nd and 3rd respondents to take action on the unauthorized construction put up by the 4th respondent in S.No.876 situated at Raja Ganapathy Street, Chennathur Panchayat, Hosur Municipality, Hosur, Krishnagiri District.

For Petitioner :: Mr.K.M.Mohamed Riyasath Ali
for Mr.R.Subba Reddy

For Respondents :: Mr.M.R.Gokul Krishnan
Additional Government Pleader
for R1 & R3
Mr.T.Balaji
Standing Counsel for R2
R4-Service awaited

ORDER

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

The petitioner has filed this writ petition alleging that he is the owner of the subject property, in which the fourth respondent has encroached and put up unauthorized construction.

2. The learned standing counsel appearing for the second respondent, on instructions, submits that the property in which the petitioner as well the fourth respondent have put up construction, is the property of Tamil Nadu



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Housing Board.

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3. The petitioner has not produced any document to prove his ownership. The petitioner's case is that he is having possessory right. In such circumstances, this Court finds that there is no bona fides in the writ petition. Without impleading the paramount title holder of the property, the petitioner is trying to get relief, which would prejudice the rights of the real owner. Therefore, this writ petition is dismissed for want of bona fides and for not impleading the State Housing Board. No costs.

Index : yes/no
Neutral citation : yes/no

(S.S.S.R.,J.) (N.S.,J.)
06.06.2024

ss

To

1. The District Collector
Krishnagiri
Krishnagiri District 635 115
2. The Commissioner
Hosur Municipality
Hosur, Krishnagiri
Krishnagiri District 635 115
3. The Thasildar



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S.S.SUNDAR,J.

AND

N.SENTHILKUMAR,J.

SS

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