



WEB COPY

W.P.No.19213 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

and

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.19213 of 2020

and

W.M.P.No.23806 of 2020

Mr.P.Ravi

... Petitioner

Vs.

1. The Commissioner,
Land Administration,
Chepauk, Chennai – 600 005.

2. The District Revenue Officer,
Tiruvallur District,
Tiruvallur – 602 001.

3. The Revenue Divisional Officer,
Tiruvallur District,
Tiruvallur – 602 001.

4. Mr.Janakiraman

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 2nd respondent in his proceedings in Ref.No.B3/15516/2018 dated 21.12.2018 and consequential impugned order passed by the 1st respondent in his proceedings in R.C.No. T1/5099/2020, dated 07.07.2020 quash the same and consequential to direct



the 2nd respondent to take the appeal on file and conduct enquiry within reasonable period.

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For Petitioner : Mr.K.Harikrishnan

For R1 to R3 : Mr.A.Selvendran,
Special Government Pleader

For R4 : No appearance

ORDER

(Order of the Court was made by **S.M.SUBRAMANIAM, J.**)

The Writ Petition has been filed for calling for the records relating to the impugned order passed by the 2nd respondent in his proceedings in Ref.No.B3/15516/2018 dated 21.12.2018 and consequential impugned order passed by the 1st respondent in his proceedings in R.C.No. T1/5099/2020, dated 07.07.2020 quash the same.

2. With reference to the order impugned dated 21.12.2018 passed by the District Revenue Officer, Tiruvallur, the encroachments in the public pathway are identified. The subject land has been classified as “Nilaviyal Pathai”, running in patta land. However, the pathway is to be protected for the usage of public at large. The District Revenue Officer, Tiruvallur conducted an enquiry and remanded the matter back to the Sub-Collector,



Tiruvallur to conduct an enquiry and pass appropriate orders.

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3. We are of the opinion that the authorities have identified the encroachments in public pathway. That being so, all appropriate actions are to be initiated to evict the encroachers from the public pathway running through private lands and protect the same for public usage. In this regard, the respondents 1 to 3 are directed to conduct survey and field inspection and identify the public pathway i.e., Nilaviyal Pathai and thereafter, remove all such encroachments by following the due process of law, more specifically, by affording opportunity to the encroachers. The said exercise is directed to be completed within a period of 12 weeks from the date of receipt of a copy of this order.

4. Accordingly, the Writ Petition stands disposed of. No costs.

(S.M.S.,J.) (K.R.S.,J.)
21.03.2024

skr
Index : Yes
Speaking order



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S.M.SUBRAMANIAM, J.
and

K.RAJASEKAR, J.

skr

To

1. The Commissioner,
Land Administration,
Chepauk, Chennai – 600 005.
2. The District Revenue Officer,
Tiruvallur District, Tiruvallur – 602 001.
3. The Revenue Divisional Officer,
Tiruvallur District, Tiruvallur – 602 001.

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