



W.P.No.16887 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2024

CORAM:

THE HON'BLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.16887 of 2024

G.Panjali

... Petitioner

Vs.

1.The Tahsildar,
Vanur Taluk,
Vanur, Villupuram District.

2.The Block Development Officer,
Vanur Block, Vanur, Villupuram District.
Respondents

...

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to remove the unused dilapidated television room constructed in the middle of the panchayat road situated in S.No.187/15, Karasanur Village, Vanur Taluk, Villupuram District, as recommended by the 1st respondent in his letter No.Na.Ka.A10/91-2/2024 dated 24.01.2024, within a reasonable time as may be stipulated by this Court.

For Petitioner : Mr.A.E.Ravichandran

For Respondents : Mr.K.H.Ravikumar, GA for R2
Mr.P.Gurunathan, AGP for R1



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ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the 2nd respondent to remove the unused dilapidated television room constructed in the middle of the panchayat road situated in S.No.187/15, Karasanur Village, Vanur Taluk, Villupuram District, as recommended by the 1st respondent in his letter No.Na.Ka.A10/91-2/2024 dated 24.01.2024, within a reasonable time as may be stipulated by this Court.

2. The case of the petitioner is that there was an unused dilapidated Panchayat Television Room in front of the petitioner's property constructed in the middle of the Panchayat road about 20 years back in S.No.187/15 abetting the petitioner's property in the southern side. Because of the said Television Room, the heavy vehicles are finding difficult to pass through the road and the heavy vehicles causing damage to the compound wall of the petitioner's property. Hence, the petitioner made a representation on 11.01.2024 to the first respondent to remove the dilapidated television room. In response to the said representation, the first respondent sent a letter dated 24.01.2024 to the second respondent to demolish the dilapidated television room constructed in the middle of the road. In spite of such a direction, till date, the second respondent has not taken any action to demolish the



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dilapidated television room. Hence, the petitioner is before this Court.

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3. The learned Government Advocate appearing for the second respondent submitted that the television room was constructed long back and it is in good condition even till date and it is used by the Panchayat. He further submitted that abetting the said television room, there exist a well which is being used by the general public till date. Therefore, there is no necessity for the respondents to remove the same.

4. On 11.07.2024, this Court has passed an order directing the first respondent to take measurement of the road, well and television room along with the revenue records and find out any encroachment has been made in the Government land by the adjacent landowners and file a report before this Court.

5. In response to the same, the first respondent has filed a report dated 29.07.2024 and in the said report, it is stated that the first respondent inspected the field along with the Surveyor on 22.07.2024 and found that the subject matter of the street is situated at S.No.187/15-0815 Sq.mt., running from east to west direction touching Survey No.188 in east and



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Survey No.78 in west respectively. The petitioner constructed a concrete house in Natham Survey No.187/11 and made a fencing around it in the east side of the street measures 10.4 meter width. But 3.2 meter only available to the usage of the street. The remaining extent is occupied by the television room. According to the first respondent, V.Kannaiyan, A.Munusamy and S.Ganesan, have encroached the road. The first respondent further states that the television room was constructed in the year 1991 and now it is in a dilapidated condition without any maintenance which is endangering the lives of general public. Therefore, he requested this Court to remove the dilapidated television room and the encroachment made by the petitioner and other residents in order to maintain free flow of vehicles and public welfare.

6. Heard the learned counsel for the petitioner and the learned Government Advocate for the second respondent and perused the report submitted by the first respondent and other materials available on record.

7. It is seen from the report of the first respondent that the television room and a well is situated in the middle of the road and the adjacent land owners have also encroached the road by putting compound wall etc.

Therefore, this Court is of the view that the second respondent should be



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directed to demolish the television room which is in dilapidated condition and the encroachment made by the adjacent land owners viz., V.Kannaiyan, A.Munusamy and S.Ganesan, the petitioner herein.

8. Accordingly, this Writ Petition is disposed of and the second respondent is directed to demolish the television room which is in dilapidated condition and to remove the encroachment made by the adjacent land owners viz., V.Kannaiyan, A.Munusamy and S.Ganesan, the petitioner herein, within a period of eight weeks from the date of receipt of a copy of this order. Since the well situated in the road is being utilized for public use till date, the same shall not be demolished. No costs.

Index:Yes/No
Speaking / Non- speaking order
gsk

30.07.2024

To

- 1.The Tahsildar,
Vanur Taluk,
Vanur, Villupuram District.
- 2.The Block Development Officer,
Vanur Block, Vanur, Villupuram District.

V.BHAVANI SUBBAROYAN J.



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