



WEB COPY



W.P.No.12237 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.12237 of 2021

1.P.Venkateswaralu

2.P.Raghu

... Petitioners

Vs.

1.The District Collector,
Tiruvallur District,
Tiruvallur

2.The Revenue Divisional Officer,
Ponneri Revenue Division,
Ponneri Taluk, Tiruvallur District

3.The General Manager,
Tamilnadu Road Development Corporation,
Corp.Office:171, 2nd Floor, TNMB Building,
South Kesavaperumal Puram,
Greenways Road, Raja Annamalaipuram,
Chennai 600 028

4.The Divisional Engineer(Highways),
Construction and Maintenance,
Tiruvallur Division,
Tiruvallur 602 001

5.The Assistant Divisional Engineer(Highways)
Construction and Maintenance,
Ponneri Division,
Tiruvallur District 602 001

... Respondents

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



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India praying to issue a Writ of Mandamus directing the respondents to pay necessary compensation and also damages to the petitioners for having illegally demolished the petition property, being building, comprised in survey no.177/1B1A, 177/1B2A and also Grama Natham survey no.177/16, situated at No.99, Vannippakkam Village, Ponneri Taluk, Tiruvallur District, under the guise of removal of encroachment in Highways land.

For Petitioners : Mr.R.Munuswamy

For Respondents

For R1,2,4,5 : Mr.S.J.Mohammed Sathik,
Government Advocate

For R3 : No appearance

ORDER

This writ petition has been filed for direction to the respondents to pay necessary compensation and also damages to the petitioners for having illegally demolished the petition property, being building, comprised in survey no.177/1B1A, 177/1B2A and also Grama Natham survey no.177/16, situated at No.99, Vannippakkam Village, Ponneri Taluk, Tiruvallur District, under the guise of removal of encroachment in Highways land.



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2. Without expressing any opinion on merits of the writ petition, the fifth respondent is directed to conduct detailed enquiry after giving opportunity of hearing to the petitioners and to conduct survey and find out whether the building which was already demolished, situated in Highways land or patta land and to pass appropriate orders on the representation submitted by the petitioners within a period of eight weeks from the date of receipt of copy of this order. The petitioners are at liberty to submit all the documents to substantiate the claim made by the petitioners. Thereafter, if the claim made by the petitioners is negated by the fifth respondent, the petitioners are at liberty to approach civil court for appropriate relief.

3. With the above directions, this writ petition is disposed of.

There shall be no order as to costs.

27.06.2024

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order

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G.K.ILANTHIRAIYAN, J.

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To

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Tiruvallur
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