



WEB COPY



W.P.No.22984 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2024

CORAM:

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

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.No.22984 of 2019

and

W.M.P.No.22638 of 2019

R.Ragupathi

... Petitioner

-VS-

1. The District Collector,
Kanchipuram District.
2. The Tahsildar,
Chengalpattu Taluk,
Chengalpattu.
3. The Commissioner,
Maraimalai Nagar Municipality,
Maraimalai Nagar,
Kanchipuram District.

4. J.Mohan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to retrieve the public road / Pillaiyar Koil Street in S.No.81/23, situate at Vallancheri Village, Chengalpattu Taluk, Kanchipuram District by removing the encroachment of the 4th respondent herein.



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W.P.No.229 of 2022

For Petitioner : Mr.D.Murthy
For R1 & R2 : Mr.M.Habeeb Rahman
Govt. Advocate
For R3 : Mr.P.Srinivas
For R4 : No Appearance

ORDER

(By the Hon'ble Acting Chief Justice)

This Writ Petition has been filed for a direction to the respondents to retrieve the public road / Pillaiyar Koil Street in S.No.81/23, situate at Vallancheri Village, Chengalpattu Taluk, Kanchipuram District by removing the encroachment of the 4th respondent herein.

2. It is the case of the petitioner that the subject matter of the property in S.No.81/23, situated at Vallancheri Village, Chengalpattu Taluk, Kanchipuram District has been classified as road and the 4th respondent, who is the owner of the adjacent lands in S.No.81/3 and 55/1A, had encroached upon the public road and caused deliberate obstruction. It is further case of the petitioner that though he had approached the authority concerned for removal of encroachment, no action has been taken by the respondents. Hence, he has come forward with this petition.



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3. Learned Standing Counsel appearing for Maraimalai Nagar Municipality, has not disputed the facts put forth by the petitioner. He has stated that notice has already been served on the 4th respondent.

4. Despite the name being printed in the cause list, none appeared on behalf of the 4th respondent.

5. The 3rd respondent / Municipality is directed to proceed further in accordance with law for removal of encroachment made by the 4th respondent and complete the exercise within a period of twelve weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the parties concerned.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,ACJ.] [K.B.,J.]
31.07.2024

Index: Yes / No
Internet: Yes / No
Speaking Order/Non Speaking Order
ar



W.P.No.22984 of 2019

HON'BLE ACTING CHIEF JUSTICE,
AND
K.KUMARESH BABU,J.,
ar

To:

1. The District Collector,
Kanchipuram District.
2. The Tahsildar,
Chengalpattu Taluk,
Chengalpattu.
3. The Commissioner,
Maraimalai Nagar Municipality,
Maraimalai Nagar,
Kanchipuram District.

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