



W.P.No.27235 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM:

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

W.P.No.27235 of 2023

C.Hari Babu

... Petitioner

-Vs-

1. The District Collector,
Ranipet District, Ranipet.
2. The Block Development Officer,
Office Of The Block Development Office,
Arakkonam Union Office,
Ranipet District.
3. The Planning Director,
Office Of The Planning
Village Development,
Village Department, Ranipet District.
4. The Engineer,
Block Development Office,
Arakkonam Union,
Arakkonam, Ranipet District.
5. The Junior Engineer,
Block Development Office,
Arakkonam Union,
Arakkonam, Ranipet District.

6. The Panchayat President,



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Kavanoor Village, Arakkonam Union,
Ranipet District.

7. The Panchayat Secretary,
Kavanoor Village,
Arakkonam Union,
Arakkonam Taluk, Ranipet District.
8. The Directorate Of Town And Country Planning,
4 WF7G2H, Annai Indira Salai,
Hariram Nagar, Periyakuppam,
Oil Mill Backside Towards Preethi Medicals,
IInd Floor, More Super Market, Tiruvallur 602 003.
9. The Sub Registrar,
Sub Registrar Office,
Gandhi Road, Arakkonam 631 001.
(R8 and R9 are impleaded as per order
dated 10.07.2024 in W.M.P.No.20771 of 2024
In W.P.No.27235 of 2023)

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to consider petitioner representation dated 14.08.2023 for stoppage of construction of drainage canal in his property situated at Siva Sakthi Nagar, Kavanoor village and Post, Arakkonam Taluk, Ranipet district comprised in 443/2 measuring to an extend of 2788 square feet.

For Petitioner	: Mr.V.Nithyanandam
For R1, R3 to R5, R8 & R9	: Mr.S.Jayachandran Government Advocate
For R2, R6 & R7	: Mrs.E.Ranganayaki Additional Government Pleader



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ORDER

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This writ petition has been filed for direction directing the respondents to consider the petitioner's representation dated 14.08.2023 for stoppage of construction of drainage canal in his property situated at Siva Sakthi Nagar, Kavanoor village and Post, Arakkonam Taluk, Ranipet district comprised in S.No.443/2 measuring to an extent of 2788 square feet.

2. Heard and perused the materials available on record.

3. It is seen that the petitioner derived title over the subject property by way of an exchange deed registered vide Document No.10574 of 2011 among the petitioner's brothers. While being so, now, the 6th respondent intended to construct a drainage channel. As per the report submitted by the Thasildar, Arakkonam, it was found that the subject property in S.No.443/2B1A1 ad-measuring 0.34.63 ares is an un-approved house plot ad-measuring 20 x 132 ft and it is situated just before the road. However, the said road was not gifted in favour of the Panchayat. Though the subject land is an un-approved one, it is not shown as road as per the revenue records. Therefore, no drainage channel can be constructed in the petitioner's private property.

4. In view of the above, the first respondent is directed to conduct an



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enquiry, after issuance of notice to the petitioner and the counter parties if any and after giving an opportunity of hearing to them, pass orders on the representation submitted by the petitioner, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Till then, the 6th respondent is directed not to put up any drainage channel and construction in the property owned by the petitioner comprised in S.No.443/2 ad-measuring 2788 square feet situated at Siva Sakthi Nagar, Kavanoor village and Post, Arakkonam Taluk, Ranipet district.

5. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

04.09.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No
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To



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Sub Registrar Office,
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