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W.P.No.28428 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

THE HON'BLE MR. JUSTICE G.K. ILANTHIRAIYAN

W.P.No.28428 of 2024

R.Mahendran @ Raj Mahendra Pranav

... Petitioner

Vs.

1.The District Collector,
O/o.Collector Office,
Chengalpattu,
Chengalpattu District.

2.The Commissioner,
Tambaram Corporation,
No.28, Muthuranga Mudali Street,
West Tambaram,
Chennai - 600 045.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to remove the garbage and to restore back the peace of land admeasuring 1863 sq.ft. in Document No.1662/1997 in Survey No.152/2 at Thirumurugan Nagar, Plot No.19, Pammal, Chengalpet District.

For Petitioner : Mr.R.Sathiyamurthi

For Respondents : Mr.V.Manoharan,
Additional Government Pleader
for R1



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W.P.No.28428 of 2018

Mr.P.Srinivasan,
Standing Counsel for R2

ORDER

This Writ Petition has been filed for a direction, directing the second respondent to remove the garbage and to restore back the peace of land admeasuring 1863 sq.ft. in Document No.1662/1997 in Survey No.152/2 at Thirumurugan Nagar, Plot No.19, Pammal, Chengalpet District.

2. The petitioner owned property comprised in S.No.152/2 situated at Thirumurugan Nagar, Plot No.19, Pammal, Chengalpet District admeasuring an extent of 1863 sq.ft. at Tambaram Municipality. While being so, the second respondent encroached the said property and using it as garbage dump. Therefore, the petitioner submitted a representation to restore the subject land in his favour.

3. Learned counsel for the respondents has submitted that no land has been encroached and only after survey of the subject property, it can be found out whether there is any encroachment.



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4. In view of the above, the first respondent is directed to survey the petitioner's land as per the sale deed dated 27.03.1998 registered vide Doc.No.1662 of 1998 executed by one K. Krishnaveni and if any encroachment by the second respondent, the first respondent is directed to take appropriate action to restore the petitioner's land and handover the same to the petitioner in its original position within a period of eight weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition is disposed of. No Costs.

18.10.2024

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
ab

To

1.The District Collector,
O/o.Collector Office,
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Chengalpattu District.

2.The Commissioner,
Tambaram Corporation,
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