



W.P.No.32833 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

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S.M.UDAYASENAPATHY

.. Petitioner

V

1. THE DISTRICT COLLECTOR
KANCHIPURAM DISTRICT,
COLLECTORATE,
KANCHIPURAM - 631 501.
2. THE DISTRICT REVENUE OFFICER
KANCHIPURAM DISTRICT,
COLLECTORATE,
KANCHIPURAM - 631 501.
3. THE REVENUE DIVISIONAL OFFICER
KANCHIPURAM DISTRICT,
COLLECTORATE,
KANCHIPURAM - 631 501.
4. THE BLOCK DEVELOPMENT OFFICER
OFFICE OF THE BLOCK DEVELOPMENT OFFICER
WALAJABAD TALUK,
WALAJABAD - 631 605



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5. THE TAHSILDAR
WALAJABAD TALUK,
TALUK OFFICE,
WALAJABAD - 631 605
KANCHIPURAM DISTRICT.

6. THE VILLAGE PANCHAYAT PRESIDENT
ELAYANARVELORE VILLAGE PANCHAYAT,
ELAYANARVELORE VILLAGE,
WALAJABAD TALUK,
KANCHIPURAM DISTRICT.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 1st respondent to remove the encroachments on the middle of the common road to access the petitioner's agricultural land, bearing Patta No.421 in Survey No.174, situated at Elayanarvelore Village, Walajabad Taluk, Kanchipuram District, as per the petitioner's representation dated 09.09.2024.

For Petitioner	: Mr.R.Anbalagan
For Respondents	: Mr.A.Edwin Prabakar State Government Pleader assisted by Mr.M.Habeeb Rahman Government Advocate

ORDER
(Order of the Court was made
by the Hon'ble Chief Justice)



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Relief as prayed for in this petition cannot be granted. This is because petitioner's counsel admitted that the water tank was erected in poramboke land more than ten years ago. For ten years what he did, there is no explanation. Counsel for petitioner stated for last five years the water tank is unused.

2. Shri Prabakar, who has instructions from the Tahsildar by a communication dated 13.11.2024, states that the water tank is still being used by the public.

3. From the photograph annexed to the petition, it appears there is even a bore well connected to the water tank. Petitioner has also annexed certain photographs, from which it appears that the attempt is to mislead this court and take an order.

4. Counsel for petitioner made a generous offer to shift the whole water tank to some other place at his own cost. Therefore, it is quite clear that the purpose of filing this petition is only self-serving. It is also stated in



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the petition that because of the water tank, petitioner is unable to move his tractors and continue his agricultural activities. How he managed to do that for ten years is also not explained.

In these circumstances, we find no merits. Writ Petition is dismissed.

There shall be no order as to costs.

(K.R.SHRIRAM, C.J.)

(SENTHILKUMAR RAMAMOORTHY, J.)

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Index : Yes/No

NC : Yes/No

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THE HON'BLE CHIEF JUSTICE
AND
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