



W.P. No.33979 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2024

CORAM:

THE HONOURABLE MR. K.R. SHRIRAM, CHIEF JUSTICE

and

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. No.33979 of 2024

B. Santhanam

Petitioner

vs.

1. The District Collector
Chengalpattu
Chengalpattu District
2. The Revenue Divisional Officer
having office at Kadaperi
G.S.T. Road
Tambaram
Chennai 600 045
3. The Tahsildar
Taluk Office at Kadaperi
G.S.T. Road
Tambaram
Chennai 600 045
4. The Block Development Officer
St. Thomas Mount Panchayat Union
No.20 Kamaraj Colony
Nehru Nagar
Chitlapakkam Main Road
Chennai 600 064

Respondents



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Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to consider the representations dated 19.06.2024 and 07.10.2024, conduct an enquiry and to pass appropriate orders on merits within a stipulated time.

For petitioner Mr. M. Elumalai

For respondents Mr. A. Edwin Prabakar
State Government Pleader
assisted by
Mr. M. Habeeb Rahman
Govt. Advocate

ORDER

(made by The Hon'ble Chief Justice)

Mr. Prabakar tenders a status report dated 28.11.2024 filed in the form of an affidavit by one Mr. R. Rajendiran, Tahsildar (respondent no.3). Paragraphs 3,4 5 and 6 read as under:

“3. It is respectfully submitted that the petitioner has stated the land in Survey Number 41/1, Kaspapuram Village and land in Survey Number 228, Agaramthen Village are classified as water bodies and several encroachers are there and plead to evict the encroachers in the said lands.

4. It is respectfully submitted that the survey number 228 in Agaramthen village is classified as Government poramboke kulam for an extent of 1.32.0 hectares, On field inspection, few encroachments were identified as detailed below:



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S.No.	Encroacher	Encroached extent	Type of encroachment
1	Kannan, S/o Veerappan	0.00.45 hectares	Concrete house
2	Rajendiran, S/o Veerappan	0.00.40 hectares	Sheet house
3	Village Panchayat building, Agaramthen (1/3) contract in the year	0.01.17 hectares	Concrete building 5 years
4	Village Panchayat building, Agaramthen (1/2)	0.01.34 hectares	Concrete building 3 years
5	Village Panchayat building, Agaramthen (3/3)	0.01.37 hectares	Concrete building 40 years
6	Village Administrative Office, Agaramthen	0.00.25 hectares	Concrete building 18 years
7	Ration shop, Agaramthen	0.00.45 hectares	Concrete building 18 years
8	Veterinary clinic and medical shop	0.02.33 hectares	Concrete building 28 years
9	Overhead water tank	0.00.20 hectares	Concrete 20 years
10	Panchayat well	0.00.10 hectares	40 years
11	Kalyani W/o Raja	0.06.57 hectares	Concrete house
12	Shanthi, S/o Sugumar	0.00.50 hectares	Sheet house
13	Gowri, W/o Rajendiran	0.00.30 hectares	Concrete house
14	Munusamy	0.00.20 hectares	Concrete house
15	Advent Christian Church	0.33.56 hectares	Concrete, 3 separate buildings
16	Agaramthen-Kovilancheri Road	0.12.00 hectares	Thar Road 8 years

5. It is respectfully submitted that the survey number 41/1 in Kasapapuram Village is registered as “Government Poramboke land”, and in the remarks column mentioned as for an extent of 1.32.0 hectares, Kulam. On field inspection, few encroachments were identified as detailed below:



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S.No.	Encroachments	Encroached extent
1.	Newly built small temple	0.00.12 hectares
2.	Newly built electric motor room	0.00.08 hectares

6. It is respectfully submitted that a detailed report along with Form I has been sent to the office of the 4th respondent herein vide this office letter RC 4727/2024/B3 dated 25.11.2024 to take necessary action. Copies of the report are enclosed herewith.”

2. Mr. Prabakar states that respondents shall ensure that all new constructions will be stopped immediately and as regards the encroachments mentioned in the status report, steps will be taken immediately to remove the same in accordance with law.

3. In view of the statement, petition is disposed of. No costs.

(K.R. SHRIRAM, C.J.) (SENTHILKUMARRAMAMOORTHY, J.)
05.12.2024

Index : Yes/No
Neutral Citation : Yes/No
cad



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