



W.P No.32410 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P No.32410 of 2023
and W.M.P.No.32041 of 2023

S.Sathish

.. Petitioner

-VS-

1. The District Collector,
Chengalpattu District.
2. The Revenue Division Officer,
Revenue Divisional Office,
Chengalpattu , Chengalpattu District.
3. The Tahsildar,
Chengalpattu Taluk,
Chengalpattu District - 603209.
4. The Commissioner,
Maraimalai Nagar Municipality Office,
Maraimalai Nagar,
Chengalpattu District - 603209.
5. The Assistant Engineer,
TNEB, Sidco Sec II, Maraimalai Nagar,
Chengalpattu - 603209.



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6. The Divisional Engineer,
TNEB, Sidco Sec II,
Maraimalai Nagar,
Chengalpattu - 603209.

7. Prabhakaran

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the Respondents to remove the encroachments committed by the 7th Respondent in Survey Nos. 531/2 and 531/3 as confirmed by the sub-Collector in his proceedings Na.Ka.No. 1672/2023/Aa1 dated 14.10.2023.

For the Petitioner : Mr.P.Paramasiva Doss
For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader,
-for R1 to R3
Mr.K.Tippu Sulthan - for R4
Mr.K.Govi Ganesan - for R7

* * * * *

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.P.Paramasiva Doss, learned counsel for the petitioner, Mr.A.Edwin Prabakar, learned State Government Pleader for the respondents 1 to 3, Mr.K.Tippu Sulthan, learned counsel for the fourth respondent and Mr.K.Govi Ganesan, learned counsel for the seventh respondent.

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2. The patta granted in favour of the seventh respondent has been cancelled. There are rival claims. According to the State officials, the land is a vacant land. According to the seventh respondent, the land is a house site and a house is constructed over it.

3. It is for the Government officials to survey the land and confirm as to whether it is a vacant land or a house site. In case there are no prohibitory orders passed by any Court or Authority and in case the land is a vacant land, then the authorities can proceed ahead in accordance with law with respect to the subject site.

With the above direction, the writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

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Index : Yes/No
Neutral Citation : Yes/No
kst



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THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD, J.

(kst)

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