



WEB COPY



W.P.No.9750 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2025

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

W.P.No.9750 of 2025

and

W.M.P.No.10925 of 2025

Devi Velu

W/o.Velu

...Petitioner

Vs

1. The District Collector
Kancheepuram District
Collectorate
Kancheepuram - 631 501.
2. The Tahsildar
Sriperumbudur Taluk
Kancheepuram District - 602 105.
3. M/s.Aarush Logistics Park Private Limited
Rep. by its authorised signatory
V.No.173 & V.No.209, Vallam A
Mettupalayam, Sriperumbudur Taluk
Kancheepuram District - 631 604.

...Respondents

Page Nos.1/6



W.P.No.9750 of 2025

WEB COPY

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representation dated 14.11.2024 and thereby directing the respondents 1 and 2 to remove the encroachment of canal by the 3rd respondent measuring 0.52.0 ares and 00.90.50 ares comprised in S.No.233 of Mettupalayam Village, Sriperumbudur Taluk, Kancheepuram District and file a report thereof.

For Petitioner : Mr.P.Athi Veera Rama Pandian
For Respondents : Mr.T.K.Saravanan
Additional Government Pleader
for R1 & R2

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Subject matter of the captioned 'Writ Petition' {hereinafter 'WP' for the sake of brevity, clarity and convenience} is 'canal comprised in S.No.233, Mettupalayam Village, Sriperumbudur Taluk, Kancheepuram District' {hereinafter 'said canal' for the sake of brevity, convenience and clarity}.

2. Prayer in the captioned WP is predicated on a 'representation dated 14.11.2024' {hereinafter 'said representation' for the sake of brevity,



W.P.No.9750 of 2025

convenience and clarity} wherein, writ petitioner has alleged encroachment in said canal and sought removal of the same.

3. Inaction on the part of official respondents has necessitated the captioned WP is Mr.P.Athi Veera Rama Pandian, learned writ petitioner's counsel say.

4. Issue notice to official respondents i.e., R1 & R2.

5. Mr.T.K.Saravanan, learned Additional Government Pleader, accepts notice for R1 & R2 and learned State Counsel submits that survey of said canal by R2 is in the anvil, survey report will be drawn up and if encroachments are found, suitable action under appropriate Statute will be initiated.

6. Suitable action under appropriate Statute necessarily means that private respondent i.e., R3 and/or any other alleged encroacher/s will be show-caused.



W.P.No.9750 of 2025

WEB COPY 7. This Court makes it clear that all rights and contentions of private respondent i.e., R3 and/or any other alleged encroacher(s)/noticee(s) who is/are show caused, shall stand preserved untrammelled by this order. This further means that this order does not touch upon the rights of private respondent i.e., R3 and/or any other alleged encroacher(s)/noticee(s).

8. In this view of the matter, there is no impediment in taking up the main WP in the Admission Board with the consent of learned counsel for writ petitioner and learned State Counsel. We do so.

9. Learned State Counsel submits that survey which is in the anvil will be done within four weeks from today i.e., on or before 18.04.2025. Learned State Counsel further submits that survey report will be drawn up and if any encroachment/s is/are found, suitable action under appropriate Statute will be commenced within another four weeks therefrom i.e., on or before 16.05.2025.



W.P.No.9750 of 2025

WEB COPY 10. This Court is of the considered view that it will suffice, if the stated position of learned State Counsel is recorded for giving a closure to the captioned WP.

Captioned WP disposed of recording the stated position of learned State Counsel (to be noted, it is recorded as an undertaking given by learned State Counsel). Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[M.S.,J.]

[K.G.T.,J.]

21.03.2025

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

mk

To

1. The District Collector
Kancheepuram District
Collectorate
Kancheepuram - 631 501.
2. The Tahsildar
Sriperumbudur Taluk
Kancheepuram District - 602 105.

Page Nos.5/6



WEB COPY



W.P.No.9750 of 2025

M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,

mk

W.P.No.9750 of 2025

21.03.2025

Page Nos.6/6