



WEB COPY

WP.No.14882 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-07-2025

CORAM

THE HON'BLE MRS.JUSTICE N.MALA

WP.No.14882 of 2025

Venkatesan,
S/o Kannabran, No.32b, Mettu Street,
Mashar, Tiruvannamalai,
Kallarai Padi,
Tamil Nadu - 66 702.

Petitioner(s)

Vs

The State Rep by
1. The District Collector
O/o The District Collector,
Tiruvannamalai District.

2.The Thasildhar,
O/o.The Thasildar Office,
Chengam.

3.The Block Development Officer,
BDO Officer, Pudupalayam,
Chengam.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, Directing the respondents to take immediate steps to remove the unsafe and dilapidated temporary shed situated in the petitioner's patta land (Patta No.74)



in survey No.105/2B at Mashar Village, Chengan Taluk, Thiruvannamalai District, pursuant to the petitioner's representation dated 11.03.2025 and pass such further orders.

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For Petitioner: Mr.R.Thirumoorthy

For Respondents: Mrs.R.L.Karthika,
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to take immediate steps to remove the unsafe and dilapidated temporary shed situated in the petitioner's patta land (Patta No.74) in survey No.105/2B at Mashar Village, Chengan Taluk, Thiruvannamalai District, pursuant to the petitioner's representation dated 11.03.2025.

2. The petitioner is the lawful owner of a Patta land bearing Survey No. 105/2B (new Survey No. 105/28), situated in Mashar Village, Sengam Taluk, Thiruvannamalai District. The land was originally owned by the petitioner's maternal grandfather and later granted as Dhorayapatta to the petitioner's mother in 1993. A temporary shed was erected on a portion of this land by the 3rd respondent with oral assurance of its removal upon request. The petitioner obtained lawful title to the land through a registered settlement deed dated

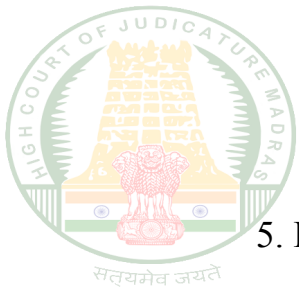


13.11.2021, and the patta was updated accordingly. Over time, the temporary

shed has deteriorated into a structurally unsafe and abandoned structure, posing serious risk to the public, especially children and elderly persons. Despite a representation dated 11.03.2025, no steps have been taken by the authorities to remove the shed.

3. Learned counsel appearing for the petitioner submits that the continued existence of the hazardous shed on his Patta land is arbitrary and violative of Articles 14, 21, and 300A of the Constitution of India. The structure, initially erected based on oral assurance as temporary, has become a public safety threat and is now obsolete due to the establishment of a nearby bus stand. He further argues that inaction by the respondents despite clear legal title and multiple representations amounts to a denial of his right to property, life, and equal treatment under the law. Hence, this case.

4. Learned Government Advocate appearing for the respondents would submit that the representation of the petitioner dated 11.03.2025 would be considered on merits, in accordance with law, within a time frame stipulated by this Court.



5. Heard both sides and perused the materials available on record.

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6. Considering the facts and circumstances of the case and the submissions made by the learned counsel appearing on either side, this Court without going into the merits of the case, directs the second respondent to consider the petitioner's representation dated 11.03.2025, by affording an opportunity of personal hearing to the petitioner. Consider the documents, if any, filed by the petitioner with regard to the subject property and thereafter pass orders on merits in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observations and direction. No costs.

09-07-2025

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Index: Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No



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To

1.The District Collector
O/o.The District Collector,
Tiruvannamalai District.

2.The Thasildhar,
O/o.The Thasildar Office,
Chengam.

3.The Block Development Officer,
BDO Officer,
Pudupalayam,
Chengam.



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N.MALA,J.

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