



W.P.(MD) No.11246 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD) No.11246 of 2023

Velmuruganandham

... Petitioner

-VS-

1. The District Collector,
Tenkasi District, Tenkasi.
2. The Revenue Divisional Officer,
Tenkasi District, Tenkasi.
3. The Thasildar,
Alangulam Taluk, Tenkasi District.
4. Murugan Asari
5. Pasupathi
6. Ramakrishnan
7. Gopal Asari

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent Nos. 1 to 3 to remove the encroachment which was illegally made by the respondents no. 4 to 7 in Natham S.no. 168/5C situated at Nettur, Alangulam Taluk, Tenkasi District on the basis of the petitioners representation dated 18.04.2023.

For Petitioner : Mr.A.B.Jeeva

For Respondents : Mr.V.Nirmal Kumar
Government Advocate for R1 to R3

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.V.Nirmal Kumar, learned Government Advocate, takes notice for the respondents 1 to 3.

2. Considering the nature of the relief, notice to the private respondents is deemed unnecessary.

3. With the consent of both sides, this writ petition is taken up for final hearing at the admission stage itself.



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4. The petitioner seeks the removal of encroachment on the ground that the land in question is a 'Government Poramboke land'. The Tahsildar, Alangulam Taluk, as in his instructions to the learned Government Pleader stated that Survey No.168/5C is treated as 'Natham' and it stands in the name of four persons including the petitioner and those persons are occupying the said land as the backyard and they have also erected borewells. Hence, we do not find any reason to entertain this writ petition. Thus, the writ petition fails and it is dismissed leaving it open to the petitioner to take appropriate civil proceedings, if he is so advised. No costs.

[R.S.M., J.]

[L.V.G., J.]

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NCC : No
Index : No
Internet : Yes
PKN



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