

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P.No.2679 of 2015

.....

1 M. Aruputhamary .. Petitioner

Vs

1 The District Collector
Erode District,
Erode.

2 The Tahsildar,
Perundurai Taluk,
Perundurai,
Erode District.

3 R. Robert .. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the first and second respondents to remove the encroachment caused by the third respondent at Re.Survey No.299/21, situated at Vijayapuri Village, Perundurai Taluk, Erode District.

For petitioner :: Mr. C. Munusamy

For respondent :: Mr.P.S.Sivashanmugasundaram
Spl. Govt. Pleader - R1 & R2

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Mr. P.S.Sivashanmugasundaram, learned Special Government Pleader accepts notice on behalf of the respondents 1 and 2.

2. By consent of both parties, the writ petition is taken up for final disposal at the admission stage.

3. The case of the petitioner is that he has made a representation dated 01.12.2014 to the first respondent pointing out

the encroachment on the poramboke land causing inderance and obstruction in the public pathway on Re.Survey No.299/21, situated at Vijayapuri Village, Perundurai Taluk, Erode District. Despite representation, no steps have been taken by the respondents 1 and 2 till date.

4. Having regard to the grievance of the petitioner that there is an encroachment on the public land, we direct the first and second respondents to consider the petitioner's representation dated 01.12.2014 and pass appropriate orders, after issuing proper notice to the third respondent. The respondent Nos.1 and 2 are further directed to take appropriate steps if the allegation of the petitioner is found correct, in accordance with law and on its own merits, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of, accordingly. No costs.

Sd/-
Deputy Registrar
Dated:13.2.15

True Copy

Sub Assistant Registrar

To

1 The District Collector
Erode District,
Erode.

2 The Tahsildar,
Perundurai Taluk,
Perundurai,
Erode District.

+1 cc to Mr.C.Munusamy, Advocate, SR.5622

+1 cc to Government Pleader, SR.6009.

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krd 21/2

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