

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI

AND

THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P. No.3505 of 2015 and M.P. No.1 of 2015

K. Thangarasu ..Petitioner

Vs.

1 The District Collector
Namakkal District

2 The Tahsildar
Tiruchencode
Namakkal District

3 Pallipalayam Panchayat Union
represented by its Commissioner
Pallipalayam
Namakkal District

4 The Chairman
Pallipalayam Panchayat Union
Pallipalayam
Namakkal District

..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus forbearing the respondents from putting up any construction or building in the land comprised in S.No.51/5, Kumarapalayam Amani Village, Tiruchencode Taluk, Namakkal District classified as grazing field (nka;r;ry;; jiu) in the A-Register dated 30.12.2014 issued by the second respondent besides in any manner interfering with the petitioner's possession and enjoyment of the aforesaid land.

For petitioner Mr. G. Ethirajulu

For RR 1 & 2 Mr. P.S. Sivashanmugasundaram
Special Government Pleader

For RR 3 & 4 Mr. P. Sanjay Gandhi
Additional Government Pleader

ORDER

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

Mr. P.S. Sivashnamugasundaram, learned Special Government Pleader, takes notice for respondents 1 and 2. Mr. P. Sanjay Gandhi, learned Additional Government Pleader, takes notice for respondents 3 and 4. With the consent of the respective learned counsel, the writ petition is taken up for final disposal at the admission stage itself.

2. The instant writ petition has been filed seeking a writ of mandamus forbearing the respondents from putting up any construction or building in the land comprised in S.No.51/5, Kumarapalayam Amani Village, Tiruchencode Taluk, Namakkal District, classified as grazing field (nka;r;ry;; jiu) in the A-Register dated 30.12.2014 issued by the second respondent, besides in any manner interfering with the petitioner's possession and enjoyment of the aforesaid land.

3. Today, when the matter was taken up for hearing, the learned counsel for the petitioner submitted that it would suffice if the petitioner's representation dated 03.01.2015 is directed to be considered and orders passed thereon, within a stipulated time.

4. In view of the above submission made by the learned counsel for the petitioner, the authorities concerned are directed to consider and pass orders on the petitioner's representation dated 03.01.2015 in accordance with law and on its own merits, within a period of six weeks from the date of receipt of a copy of this order and take action for removal of encroachment, if on enquiry, it is found that encroachment, as alleged by the petitioner, exists. Needless to state that such exercise shall be completed after giving an opportunity of hearing to the alleged violators/encroachers.

5. The writ petition stands disposed of with the above directions. No costs. Connected Miscellaneous Petition is closed.

cad

सत्यमेव जयते

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Sd/-
Assistant Registrar

// True Copy //

Sub-Assistant Registrar

To

1 The District Collector
Namakkal District

2 The Tahsildar
Tiruchencode
Namakkal District

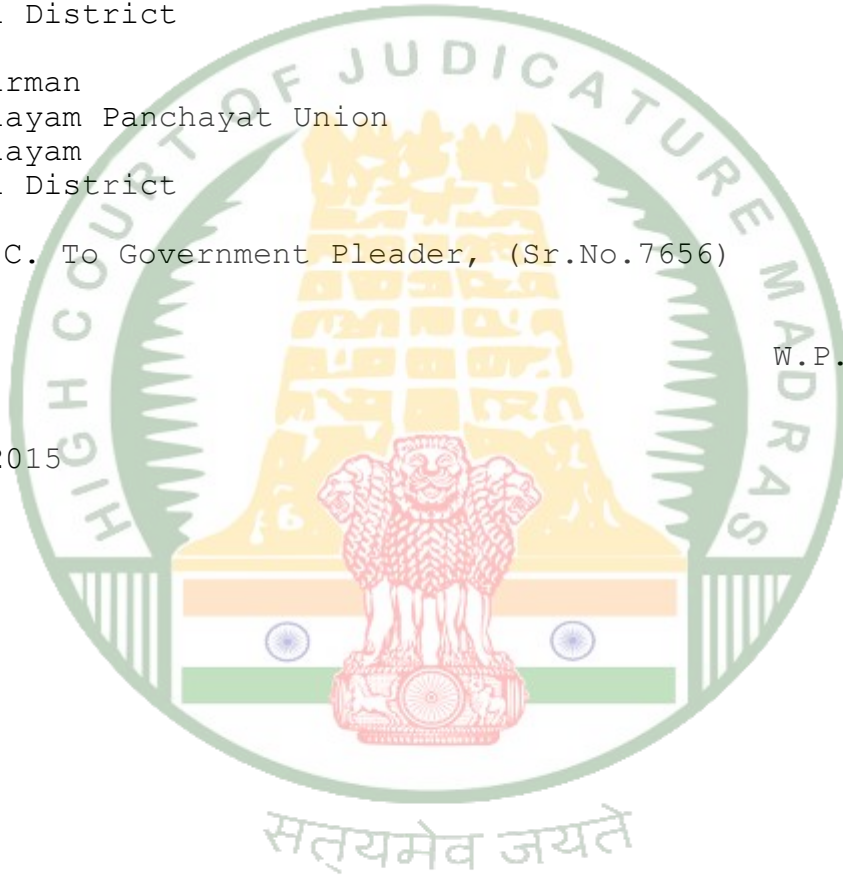
3 The Commissioner
Pallipalayam Panchayat Union
Pallipalayam
Namakkal District

4 The Chairman
Pallipalayam Panchayat Union
Pallipalayam
Namakkal District

+1 C.C. To Government Pleader, (Sr.No.7656)

W.P. No.3505 of 2015

UG(CO)
sd 23/02/2015



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