

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2015

CORAM:

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

W.P.No.5166 of 2015

S. Dhinesh

...Petitioner

Vs

1. The District Collector,
Salem District,
Salem.
2. The Tahsildar,
Attur Taluk, Attur,
Salem District.
3. Rangarajan
4. Ramesh
5. T. Ramasamy
6. P. Karuppaiyah
7. R. Gopal

...Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 and 2 to remove the encroachment made by the respondents 3 to 7 in S.Nos.158 177/9 23/4B 23/2 28/3 482/1 482/7 161 178/7 178/3 178/5 178/6 and 21 Ayarpadi Village, Kattukottai, Attur Taluk, Salem District.

For petitioner : Mr. C. Prakasam

For respondents : 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 Additional Government Pleader accepts notice on behalf of the respondents 1 and 2.

2. Learned counsel for the petitioner submits that inspite of the representation dated 20.11.2014 requesting to remove the encroachment made by the respondents 3 to 7 on the land in question, no action has been taken by the respondents 1 and 2.

3. The learned Additional Government Pleader appearing for the respondents 1 and 2 submits that appropriate action will be taken against the encroachers by following due process of Law.

4. In view of the above submissions, we direct the second respondent/ Tahsildar, Attur to consider the aforestated representation of the petitioner and pass appropriate orders, on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that the authorities are required to take action against all encroachments, even if they are not the subject matter of this writ petition, after issuing proper notice affording opportunity of hearing, in accordance with law and on merits.

5. This writ petition is disposed of with the above directions. Consequently, M.P. No. 1 of 2015 is closed. No costs.

Sd/-
Deputy Registrar(J)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

ra

WEB COPY

To

1. The District Collector,
Salem District,
Salem.

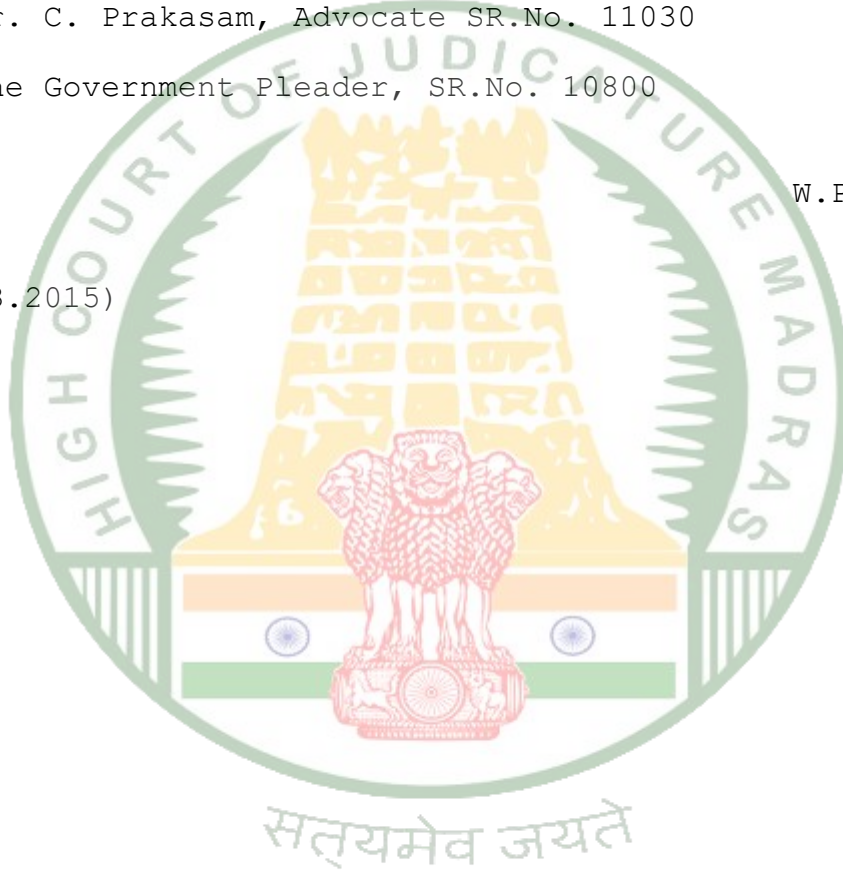
2. The Tahsildar,
Attur Taluk, Attur,
Salem District.

1 CC to Mr. C. Prakasam, Advocate SR.No. 11030

1 CC to the Government Pleader, SR.No. 10800

W.P.No.5166 of 2015

CTK (CO)
PSI (10.03.2015)



WEB COPY