

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P.No. 6374 of 2015

A. Sekar .. Petitioner

Vs.

1. The District Collector,
Namakkal,
Namakkal District.

2. The Revenue Divisional Officer,
Tiruchengode Taluk,
Namakkal District.

3. The Tahsildar,
Tiruchengode Taluk,
Namakkal District.

4. K. Velumani

5. Ganeshan .. Respondents

This writ petition is preferred under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus directing the respondents 1 and 3 to consider the representation of the petitioner dated 23.12.2014 and further issue direction to remove the encroachments made by respondents 4 and 5 in stream poromboke situated in S.No.191 of Karumapuram Village, Thiruchengode Taluk, Namakkal District. within a stipulated time

For Petitioner : Mr. A. Thiyagarajan

For Respondents : Mr. P.S.Sivashanmugasundaram
Spl. Govt. Pleader - R1 to R3

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ORDER

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

This writ petition is filed seeking to direct the respondents 1 and 3 to consider the representation of the petitioner dated

23.12.2014 and further, issue a direction to remove the encroachments made by respondents 4 and 5 in stream poromboke situated in S.No.191 of Karumapuram Village, Thiruchengode Taluk, Namakkal District.

2 Mr. P.S.Sivashanmugasundaram, learned Special Government Pleader, accepts notice on behalf of the respondents 1 to 3. It is not necessary to issue notice to the respondents 4 and 5 as it is a case of only consideration of the petitioner's representation and no decision can be taken on the said representation without affording an opportunity of hearing to the respondents 4 and 5. Thus, we are passing this order at the admission stage itself, without issuing notice to the respondents 4 and 5.

3 The learned Special Government Pleader appearing for respondents 1 to 3, submits that in respect of the grievance of the petitioner, the office of the District Collector had already informed even the Tahsildar on 14.7.2014 to consider his representation and take necessary action for removal of the encroachment at Odai Poromboke situated in S.No. 191 at Karumapuram Village, Tiruchengode Taluk. He further submits that necessary steps for removal of the encroachment, after affording proper opportunity to the alleged encroachers, will be taken, at the earliest.

4 In view of the foregoing, since the petitioner is not having further grievance, we direct the authorities to complete the proceedings for removal of the encroachment, if it is found in the aforesaid S.No.191 of Karumapuram Village, on inspection, after affording an opportunity of hearing to the alleged encroachers, within a period of four weeks from the date of receipt of a copy of this order. This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

Dated:16.3.15

True Copy

Sub Assistant Registrar

To

1. The District Collector,
Namakkal,
Namakkal District.
2. The Revenue Divisional Officer,
Tiruchengode Taluk,
Namakkal District.

3. The Tahsildar,
Tiruchengode Taluk,
Namakkal District.

+1 cc to Government Pleader,SR.13244.

+1 cc to Mr.A.Thiyagarajan, Advocate,SR.12995.

vsn(co)
krd 23/3

W.P.No. 6374 of 2015



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