



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition (MD)No.1696 of 2015

S.Sabapathi Periyambalam

... Petitioner

Vs.

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3.The Tahsildar,
Thirupathur,
Sivagangai District.

4.V.Muthaiya

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 3rd respondent to implement the communication sent by the 2nd respondent in O.Mu.A3-232-2014 dated 22.01.2014 and direct to remove the encroachment in Survey No. 69 measuring 20 cents situated at S. Mampatti Village, Eriyur, Thirupathur Taluk, Sivagangai District.

For Petitioner : Mr.M.Subashbabu

For Respondents : Mr.S.Chandrasekar,
Government Advocate for RR1 to R3**ORDER**

This writ petition has been filed to direct the third respondent to implement the communication sent by the second respondent, dated 22.01.2014 and direct to remove the encroachment in Survey No.69 measuring 20 cents situated at S.Mampatti Village, Eriyur, Thirupathur Taluk, Sivagangai District.

2.According to the petitioner, the fourth respondent encroached the play ground and hence, he has made several representations dated 07.06.2009, 27.07.2009, 15.03.2010 and 07.01.2014 to the authorities. In the meanwhile, the Revenue Divisional Officer, the second respondent herein directed the Tahsildar, the third respondent herein to remove the encroachment by way of his proceedings dated 22.01.2014. Even thereafter, no steps have been taken by the third respondent to implement the said proceedings. Hence, the present writ petition.



3. Considering the above stated facts and circumstances and without expressing any view on the merits and contentions raised by the petitioner, the writ petition is disposed of with a direction to the third respondent to implement the said proceedings of the second respondent dated 22.01.2014, after giving notice to all the parties concerned, within a period of four months from the date of receipt of a copy of this order. No costs.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

3.The Tahsildar,
Thirupathur,
Sivagangai District.

+1cc to Mr. M.SUBASH BABU Advocate in SR.No. 6431

+1cc to Special Government Pleader in SR.No. 6640.

TS/24.02.2015/2P-6C

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