

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.10439 of 2012

Natarajan

.. Petitioner

-vs-

1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2.The Tahsildhar,
Polur Taluk,
Thiruvannamalai District.

3.Jeyaraman

4.Pachamuthu

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the first respondent to dispose the representation of the petitioner dt. 14.11.2011 made against the illegal encroachments in the burial ground situated at S.F.No.186 measuring an extent of 2.63 acres in the Cheyyanandal Village, Polur Taluk, Thiruvannamalai District.

For Petitioner : Mr.E.P.Senniyangiri

For Respondents : Mr.STS.Murthi
Government Pleader
assisted by
Mr.V.R.Kamalanathan
Addl. G.P. For R1 & R2
R3 & R4 - No Appearance

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner is aggrieved by the alleged illegal encroachments made in the burial ground situated at S.F.No.186, measuring an extent of 2.63 Acres in Cheyyanandal Village, Polur Taluk, Thiruvannamalai District qua which he had a representation dated 14.11.2011.

2. The counter-affidavit filed by the Tahsildar/respondent No.2 states that four persons have encroached on the water spread and mayanam poramboke, the details of which had been set out in the counter-affidavit. The encroachments are treated as objectionable. The departments are stated to have taken action to evict the encroachments and the relevant Block Development Officer is stated to have been asked to evict the encroachments.

3. The aforesaid counter-affidavit is affirmed in August, 2012 and yet nothing appears to have been done. We really fail to appreciate that where the authorities themselves are of the view on verification that encroachment has been done, does it require the order of the Court to remove the encroachments? The answer obviously is in negative.

4. We, thus, call upon the respondent authorities to carryout their obligations in accordance with law within a maximum period of one month of the receipt of this order and intimation be sent to the petitioner post action.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

bbr

To

- 1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
- 2.The Tahsildhar,
Polur Taluk,
Thiruvannamalai District.

+1cc to the Government Pleader, S.R.No.40668

GJII(CO)
EU(01/08/2016)

W.P.No.10439 of 2012