

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:22.06.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G. RAMESH
and
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Writ Petition No.21183 of 2016
and
WMP.No.18115 of 2016

1.M.M.Sri Balaji
2.M.Navarathinam
3.R.Sri Devi

..Petitioners

Vs.

1.The District Collector
Collector's Office,
Salem District

2.The District Revenue Officer
District Revenue Office
Salem

3.The Revenue Divisional Officer
The Revenue Divisional Office
Salem

4.The Tahsildar
Taluk Office, Salem

5.The Revenue Inspector
Panamarathupatty, Salem

6.The Village Administrative Officer
Mallur, Salem

7.The Inspector of Police
Mallur Police Station
Mallur, Salem

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents 1 to 7 from permitting the future encroachments in the lands in S.Nos.114 and 115 of Botha Malai Utru Vaikkal Oodai and the rain water canal of Panamarathupatty Lake in Salem District and S.Nos.112/6, 113/2, 113/3 and 113/4 which are in petitioners' possession.

For Petitioner : M/s.A.Madhumathi

For Respondents : Mrs.A.Srijayanthi,
Special Government Pleader

O R D E R

(Order of the Court was made by HULUVADI G. RAMESH,J.)

Heard the learned counsel for the petitioner and Mrs.A.Srijayanthi, learned Special Government Pleader, who accepts notice for the Respondents.

2. This Writ Petition is filed praying to issue a Writ of Mandamus forbearing the respondents 1 to 7 from permitting the future encroachments in the lands in S.Nos.114 and 115 of Botha Malai Utru Vaikkal Oodai and the rain water canal of Panamarathupatty Lake in Salem District and S.Nos.112/6, 113/2, 113/3 and 113/4 which are in petitioners' possession.

3. It is averred in the Writ Petition that all of a sudden, some unidentified persons had occupied the Patta Lands of the petitioner, the Oodai lands and Rain Water canal. It is further averred that with a view to stop the said encroachment and to save the environment, the petitioners and some of the villagers gave representation to the respondents on 18.02.2016, 20.02.2016 and 22.02.2016.

4. Now, the learned counsel for the petitioners submits that a suitable direction may be given to the respondents so that the villagers could get access to their patta lands and get rid of serious environmental problems.

5. Taking into consideration the above submissions, the 1st respondent/District Collector, Salem District, is directed consider the representations dated 18.02.2016 and 22.02.2016 given by the petitioners herein and the villagers concerned as regards the allegations on the encroachment on the Government Land and the petitioners patta lands and take appropriate steps for removing the same, after making proper survey. It is for the first respondent to do the needful and take appropriate action for removing the encroachments in accordance with law. Such exercise shall be carried out by the first respondent taking assistance from the other respondents herein within a period of 8 weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. The learned Special Government Pleader is directed to intimate the above direction passed by this court to the

District Collector, Salem, forthwith for taking appropriate action. No costs. Consequently, connected WMP is closed.
nvsri

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1.The District Collector, Collector's Office, Salem District.
 - 2.The District Revenue Officer, District Revenue Office, Salem.
 - 3.The Revenue Divisional Officer, The Revenue Divisional Office, Salem.
 - 4.The Tahsildar, Taluk Office, Salem.
 - 5.The Revenue Inspector, Panamarathupatty, Salem.
 - 6.The Village Administrative Officer, Mallur, Salem.
 - 7.The Inspector of Police, Mallur Police Station, Mallur, Salem.
- + 1 cc to M/s.A.Madhumathi, Advocate Sr 34468
+ 1 cc to The Govt.Pleader, Sr 34732

KR/12/7/16

W.P.No.21183 of 2016

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