

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2016

CORAM

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

Writ Petition No.27290 of 2016

K.Settu

...Petitioner

Vs.

1 The District Collector
Thiruvannamalai District.

2 The Revenue Divisional Officer
Thiruvannamalai District.

3 The Tahsildar
Chengam
Thiruvannamalai District.

4 The Chief Engineer
Highways Department
Thiruvannamalai District.

5 Manickam

6 Periappa

7 Yashodai.

8 Jayakodi

...Respondents.

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to initiate action and remove the encroachers from the Pattai Poramboke Land comprised in Survey No.17 situate at Andipatti Village, Chengam Taluk, Thiruvannamalai District on the basis of the petitioner's representation dated 18.12.2015.

For Petitioner : Mr.R.Karunagaran

For Respondents 1 to 4 : Mr.E.Balamurugan,
Addl.Govt.Pleader

O R D E R
(Order of the Court was made by HULUVADI G. RAMESH, J.)

Heard Mr.R.Karunagaran, learned counsel for the petitioner and Mr.E.Balamurugan, learned Additional Government Pleader, accepting notice for respondents 1 to 4.

2. This writ petition is filed seeking for a direction to respondents 1 to 4 to initiate action and remove the encroachers from the Pattai Poramboke Land comprised in Survey No.17, Andipatti Village, Chengam Taluk, Thiruvannamalai District.

3. According to the petitioner, the above said Pattai Poramboke Land is a pathway and is used by the agriculturists to reach their lands for their ingress and egress for ploughing the land and the cattles have been passing through the above said pathway for grazing, but the 5th respondent by producing some fabricated documents obtained patta and further the respondents 5 to 8 have been objecting the agriculturists' ingress and egress. The petitioner is also said to have given representations on 27.04.2015 and 08.10.2015 to the official respondents, but till date no action has been taken.

4. It is seen from the typed set of papers filed along with the writ petition that the 2nd respondent directed the 3rd respondent to initiate action against respondents 5 to 8 by proceedings dated 26.05.2015 and 18.12.2015.

5. In the above circumstances, we hereby direct respondents 2 to 4 to enquire into the matter after issuing notice to respondents 5 to 8 in this regard and after due survey and enquiry, pass appropriate orders and if there is encroachment, action shall be taken in accordance with law for removal of the said encroachment. The above exercise shall be completed by the respondents 2 to 4 within 3 months from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

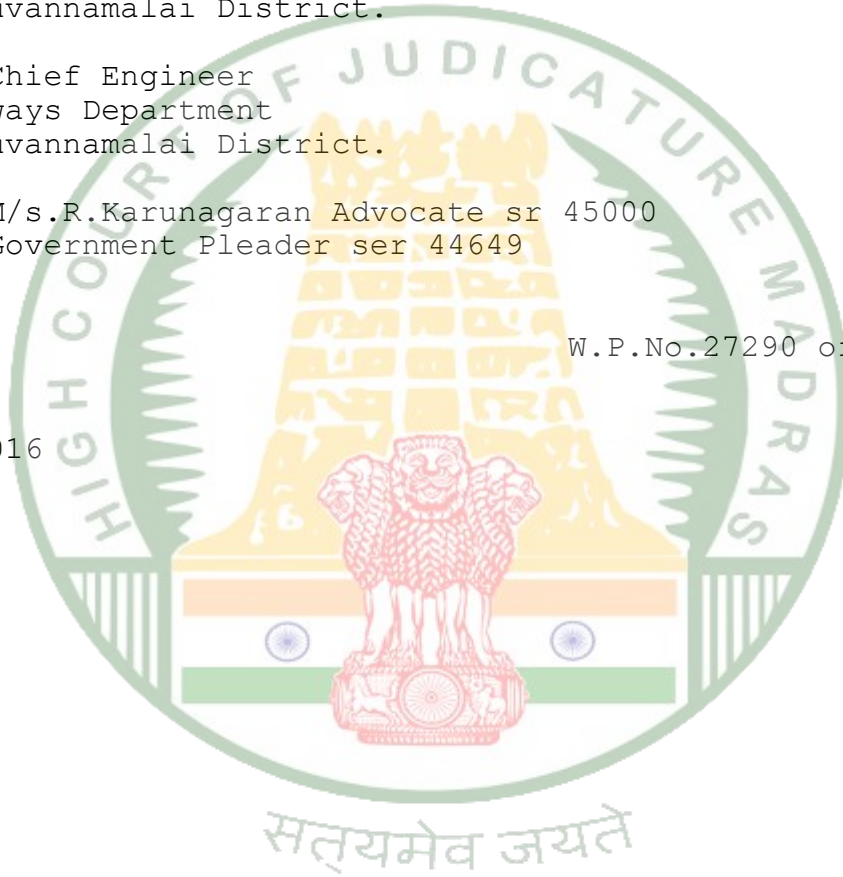
To

- 1 The District Collector
Thiruvannamalai District.
- 2 The Revenue Divisional Officer
Thiruvannamalai District.
- 3 The Tahsildar
Chengam
Thiruvannamalai District.
- 4 The Chief Engineer
Highways Department
Thiruvannamalai District.

+1 cc to M/s.R.Karunakaran Advocate sr 45000
+1 cc to Government Pleader ser 44649

W.P.No.27290 of 2016

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