

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.29264 of 2016

M.Sekar

.. Petitioner

-vs-

1.The District Collector,
Namakkal.

2.The District Revenue Officer,
Namakkal.

3.The Revenue Divisional Officer,
Namakkal.

4.The Tashildar,
Rasipuram Taluk,
Namakkal District.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the second respondent to consider the review petition of the petitioner dated 04.2.2016 in view of the G.O.Ms.No.540 Revenue (LD6 (2)) Department dated 04.12.2014 and consequently direct the respondents to take immediate and necessary steps to remove all the illegal encroachments made in Singalanthapuram village, Rasipuram Taluk, Namakkal District.

For Petitioner : Mr.G.Saravanakumar

For Respondents : Mr.M.K.Subramanian
Govt. Pleader for R1 to R4

O R D E R

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

We have perused the counter-affidavits. We are satisfied with the stand of the respondents that necessary action has been taken and there is no large scale violation, as has been

alleged. We may however note the Division Bench judgment of this Court referred to by the petitioner in Zonal Officer-V, Corporation of Chennai, Chennai-600 010 and another v. K.Narasa Reddy, Kances Constructions Pvt. Ltd., Chennai-17 and others, reported in (2012) 4 MLJ 646, where it has been observed in paragraph 17 as under:-

"17.The pathetic situation prevailing in this part of the globe, as we observed is that, ignoring the fact that Gramanatham land is a common village land, the greedy persons like the writ petitioner in this case are indulging in activities, which are purely commercial in nature. When the appellants themselves have accepted in all fairness that patta has been issued erroneously and that they have initiated necessary proceedings to cancel the same, we are unable to find fault with the impugned action initiated by the appellants herein. This rampant practice of misusing the Gramanatham lands in this part of the globe has to be curtailed immediately, so as to protect the common village lands for the welfare of the public in general. Therefore, the Government of Tamil Nadu and its revenue officials are directed to strictly protect the Gramanatham lands from being misused, particularly for commercial purposes."

2. The aforesaid aspect will be kept in mind by the respondent/ authorities while examining the utilization of the Gramanatham lands.

3. The writ petition, accordingly, closed. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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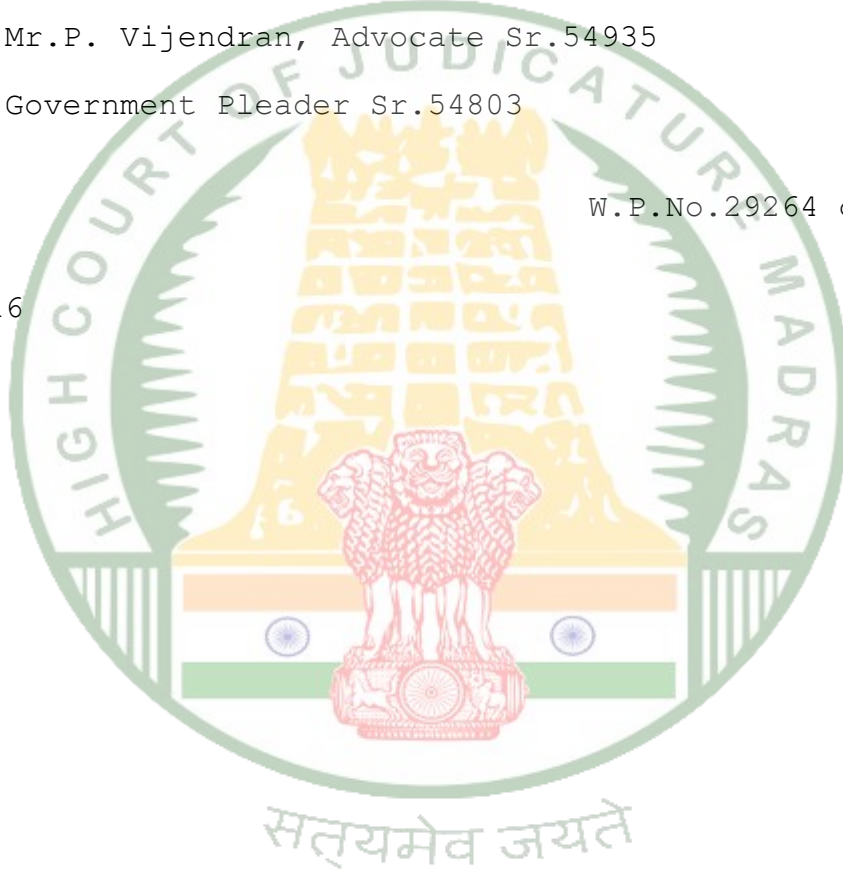
- 1.The District Collector, Namakkal.
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Namakkal District.

+ 1 cc to Mr.P. Vijendran, Advocate Sr.54935

+ 1 cc to Government Pleader Sr.54803

W.P.No.29264 of 2016

TRM(CO)
Eu 30.09.16



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