

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.33948 of 2016

K.Chinnappan

.. Petitioner

-vs-

1.The Secretary to Government of Tamil Nadu,
Department of Revenue,
Fort St. George, Chennai-600 009.

2.The District Collector,
The Office of Collectorate,
Palladam Road,
Tirupur District.

3.The Revenue Divisional Officer,
Tirupur, Tirupur District.

4.The Block Development Officer,
Palladam Panchayat Union,
Palladam Taluk,
Tirupur District.

5.The Thasildar,
Palladam Taluk,
Tirupur District.

6.The Thasildar,
Tirupur (South) Taluk,
Tirupur District.

7.The President,
Karaipudur Village Panchayat,
Palladam Taluk,
Tirupur District.

8.K.Lakshmi

9.C.Rajathiammal

10.A.Lakshmi

11.P.Maheswari

12.R.Kamalaveni
13.A.Jaya
14.M.Rajeswari
15.R.Sivakami
16.R.Eswari
17.A.Dhanalakshmi
18.K.Devi
19.S.Chellammal
20.K.Parvathi
21.A.Maniyal
22.S.Elavanchiyammal
23.P.Annammal
24.L.Sivakami
25.D.Santhi
26.A.Selvanayagi
27.S.Santhi
28.V.Prema
29.D.Kamalam
30.K.Parameshwari

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records relating to the order vide Na.Ka.No.2167/2015/a4 dated 24.07.2015 passed by the 3rd respondent, which was communicated to the petitioner by the 3rd respondent along with covering letter dated 15.4.2016 and to quash the same and direct the respondent 2 to 7 to remove the encroachment made in the road by the respondents 8 to 30 which laid for the residence of the Thirumoorthy Nagar Layout, Ayyampalayam-2, Pollikalipalayam (Post), Palladam (Taluk), Tirupur District.

For Petitioner : Mr.S.Nagarajan

For Respondents : Mr.M.K.Subramanian
Govt. Pleader for R1 to 3, 5 & 6

Mr.R.Viajayakumar
Addl. G.P. for R4 & R7

* * * * *

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ORDER

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

The report as a resultant of the team being constituted of the Assistant Director of Survey, Tiruppur; Inspector of Survey, Tiruppur and Taluk Deputy Surveyor, Dharapuram under the leadership of the Revenue Divisional Officer, Udumalaipet has been submitted along with the plan showing 11 encroachments marked in yellow.

2. The learned counsel for the petitioner states that according to the petitioner, there are 22 violations and not 11 and that he will be able to point out these violations to the Committee, which may look into the aspects whether there are any additional encroachments or not and submit report to this Court atleast three days before the next date of hearing with advance copy to the learned counsel for the respondents.

3. In so far as the encroachments already identified are concerned, the learned Additional Government Pleader submits that action will be concluded within a maximum period of two months' from today.

4. The aforesaid statement is taken on record and the respondent authorities shall remain bound by the same.

5. In so far as any additional encroachments as pointed out by the petitioner and if verified by the respondent authorities, similar action will be taken within the same period of time.

6. The petitioner to submit necessary information within a week and the petitioner can remain present at the time of the inspection.

7. The report also seeks to suggest that the relevant documents qua settlement deeds are inadequate and the petitioner has to furnish the additional documents. They may also be furnished within the same period of one week.

8. The writ petition, accordingly, stands disposed of, leaving the parties to bear their own costs.

9. List for compliance on 03.02.2017.

Sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

- 1.The Secretary to Government of Tamil Nadu,
Department of Revenue,
Fort St. George, Chennai-600 009.
- 2.The District Collector,
The Office of Collectorate Office,
Palladam Road, Tirupur District.

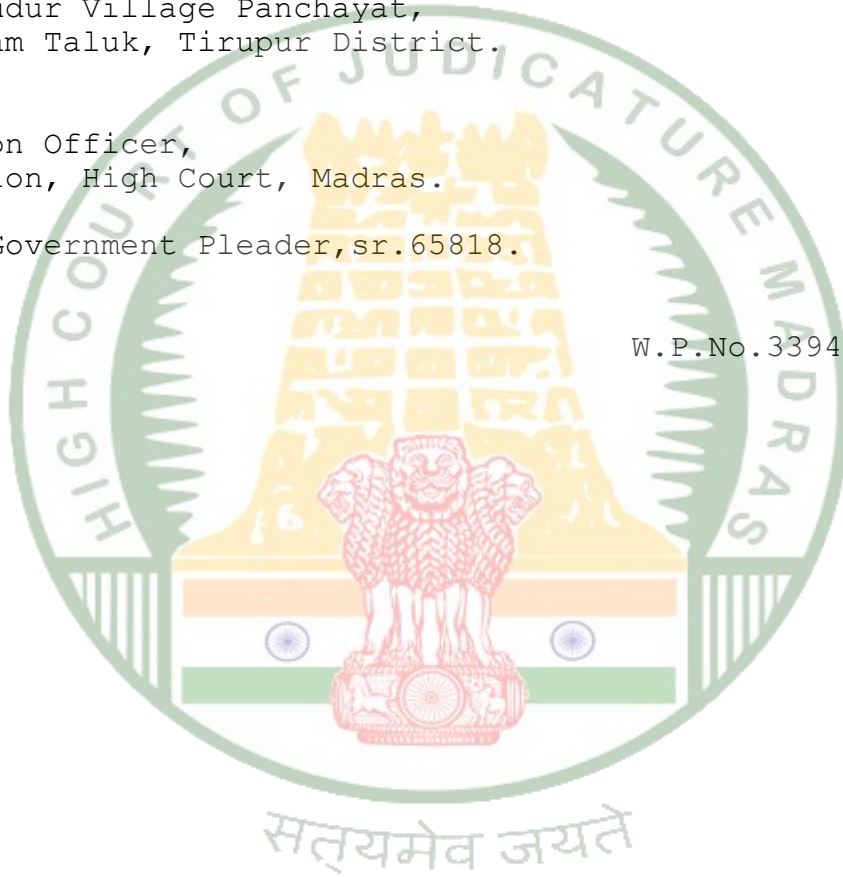
- 3.The Revenue Divisional Officer,
Tirupur, Tirupur District.
- 4.The Block Development Officer,
Palladam Panchayat Union,
Palladam Taluk, Tirupur District.
- 5.The Thasildar,
Palladam Taluk, Tirupur District.
- 6.The Thasildar,
Tirupur (South) Taluk,
Tirupur District.
- 7.The President,
Karaipudur Village Panchayat,
Palladam Taluk, Tirupur District.

Copy to:
The Section Officer,
Writ Section, High Court, Madras.

+1 cc to Government Pleader,sr.65818.

mv(co)
krd 28/11

W.P.No.33948 of 2016



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