

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.35269 of 2016
and W.M.P.No.30381 of 2016

N.Natarajan

.. Petitioner

-vs-

- 1.The District Collector,
Tiruppur, Tiruppur District.
- 2.The Revenue Divisional Officer,
Dharapuram, Tiruppur District.
- 3.The Tashildar,
Kangayam, Tiruppur District,
Pin Code 638 701.
- 4.The Village Administrative Officer,
Padiyur Village, Tiruppur District,
Pin Code 638 701.
- 5.The President,
Padiyur Village Panchayat,
Tiruppur District,
Pin Code 638 701.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct 1 to 3 respondent authorities to remove the encroachment made by the 5th respondent in respect of ''Odai Poramboke Land'' comprised in TS.No.404/2, situated at Padiyur Village, Kangayam Taluk, Tiruppur District by considering petitioner representation dated 9.9.2016 and to provide free flow of water to the check dam.

For Petitioner : Mr.K.Myilsamy

For Respondents : Mr.M.K.Subramanian
Govt. Pleader for RR 1 to 4
: Mr.R.Vijayakumar
Addl.G.P. for R-5

O R D E R
(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner alleges that Odai (stream) poramboke land is sought to be used as a burial ground in a tie-up between the Village Administrative Officer and the President of the Panchayat. The revenue record has been filed to show the nature of the land as 'Odai' land. It also cannot be disputed that an 'Odai' land cannot be used as a burial ground.

2. In view of the aforesaid, we direct the second respondent / Revenue Divisional Officer, to look into the issue and take necessary action in accordance with law within a maximum period of two (2) months of the receipt of the order.

3. Writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.30381 of 2016 stands closed.

Sd/-
Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

sra
To

1. The District Collector,
Tiruppur, Tiruppur District.
2. The Revenue Divisional Officer,
Dharapuram, Tiruppur District.
3. The Tashildar,
Kangayam, Tiruppur District,
Pin Code 638 701.
4. The Village Administrative Officer,
Padiyur Village, Tiruppur District,
Pin Code 638 701.
5. The President,
Padiyur Village Panchayat,
Tiruppur District, Pin Code 638 701.

+1cc to Mr.K.Myilsamy, Advocate, S.R.No.57458
+1cc to the Government Pleader, S.R.No.57391

KSJ(CO)
EU(17/10/2016)

W.P.No.35269 of 2016