



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE **A.SELVAM**
and
THE HONOURABLE MR.JUSTICE **P.KALAIYARASAN**

W.P (MD) No.24634 of 2016
and
W.M.P (MD) No.17763 of 2016

G.Selvarathinam

.. Petitioner

Vs.

1.The District Collector,
Pudukkottai, Pudukkottai District.

2.The Revenue Divisional Officer,
Pudukkottai, Pudukkottai District.

3.The Tashildar,
Karambakudi Taluk,
Pudukkottai, Pudukkottai District.

4.The President,
Karambakudi Town Panchayat,
Karambakudi Taluk,
Pudukkottai, Pudukkottai District.

..

Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 23.10.2015 for removing an illegal encroachment made by some unknown persons in respect of Block No.25 in Survey No.708/1 situated at Sekkadi, Karambakudi Taluk, Pudukkottai District within a stipulated time that may be stipulated by this Court.

For Petitioner : M/s.A.Banumathi

For Respondents 1 to 3 : Mr.R.Velmurugan,
Government Advocate.

For Respondent No.4 : Mr.N.S.Karthikeyan,
Additional Government Pleader.

**ORDER**

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 to 4 to remove unauthorised encroachment alleged to have been made in Survey No.708/1 situated at Sekkadi, Karambakudi Taluk, Pudukkottai District, by way of issuing a writ of mandamus.

2.It is averred in the petition that the petitioner is a resident of Karambakudi Post, Karambakudi Taluk, Pudukkottai District. Further it is averred in the petition that in Sekkadi, Karambakudi Taluk, Survey No.708/1 has been classified as vari poromboke. But so many encroachments are in existence. Under the said circumstances a representation has been given on 23.10.2015. But the authorities have not taken any steps and therefore the present writ petition has been filed for getting the relief sought therein.

3.Mr.R.Velmurugan, learned Government Advocate, has taken notice for the respondents and Mr.N.S.Karthikeyan, learned Additional Government Pleader has taken notice for the fourth respondent.

4.Even though a specific contention has been made on the side of the petitioner to the effect that Survey No.708/1 has been classified as vari poromboke, no document has been filed and since no document has been filed, the respondents 1 to 4 cannot be directed to remove encroachments. However it is seen from the records that on 23.10.2015 a representation has been given by the petitioner and therefore the authorities can be directed to look into the same.

5.In fine, this writ petition is allowed in part without costs and the respondents 1 to 3 are strictly directed to look into the representation alleged to have been given by the petitioner on 23.10.2015 and pass suitable order within a period of one month. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,

<https://hcservices.pudukkottai.go.in/hcservices/> Pudukkottai District.



2.The Revenue Divisional Officer,
Pudukkottai, Pudukkottai District.

3.The Tashildar,
Karambakudi Taluk,
Pudukkottai, Pudukkottai District.

4.The President,
Karambakudi Town Panchayat,
Karambakudi Taluk,
Pudukkottai, Pudukkottai District.

+1 cc to The Special Government Pleader in SR.No.83176

+1 cc to M/s.A.Banumathi, Advocate in SR.No.82648

smn

CSL/MR-VB/AR-III/31.01.2017 :3P/7C

ORDER MADE IN
W.P (MD) No.24634 of 2016
and
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22.12.2016