

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND

The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.9078 of 2017

M.Ganesan ... Petitioner

vs.

1. The Collector,
Salem District,
Salem.
2. The Tahsildar,
Omalur Taluk,
Omalur, Salem District.
3. The Executive Officer,
Tharamangalam Town Panchayat,
Tharamangalam,
Salem District.
4. Thangavelu
5. Senthilkumar ... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 1 to 3 to demolish the construction of Marriage Hall and to remove the encroachment made by the respondents 4 and 5 in the Government poramboke land situated in Old S.No.171/2 (New S.No.333 in sub division No.13 and 14) of Tharamangalam Village, Salem District and restore the land in its original position.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.T.N.Rajagopalan
Spl. Government Pleader
for respondents 1 to 3

ORDER

(Order of the Court was made by M.Sundar, J.)

This writ petition has been filed by the petitioner seeking a writ of mandamus directing the official respondents 1 to 3 to demolish the construction of marriage hall, which according to the writ petitioner is an encroachment made by the private respondents 4 and 5 in the Government poramboke land situated in Old S.No.171/2 (New S.No.333 in sub-division Nos.13 and 14) of Tharamangalam Village, Salem District (hereinafter referred to as "said site" for brevity).

2. It is seen from the records that the writ petitioner has sent a representation to various officials. The representation sent to the second respondent/Tahsildar, Omalur is dated 22.11.2016 and is found at page No.19 of the typed set of papers, but no acknowledgment from the second respondent has been filed.

3. Therefore, the writ petitioner shall re-submit a copy of the said representation to the second respondent/Tahsildar, Omalur along with a copy of this order within a period of fifteen days from the date of receipt of a copy of this order.

4. Thereafter, the second respondent/Tahsildar, Omalur shall cause an inspection to be made of the said site and if any encroachment is found, shall take action in accordance with law after putting all concerned to notice, particularly the private respondents 4 and 5 herein who are alleged to be the encroachers, according to the writ petitioner and conclude the proceedings within a period of two (2) months from the date of receipt of such representation.

5. The writ petition, accordingly, stands disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To:

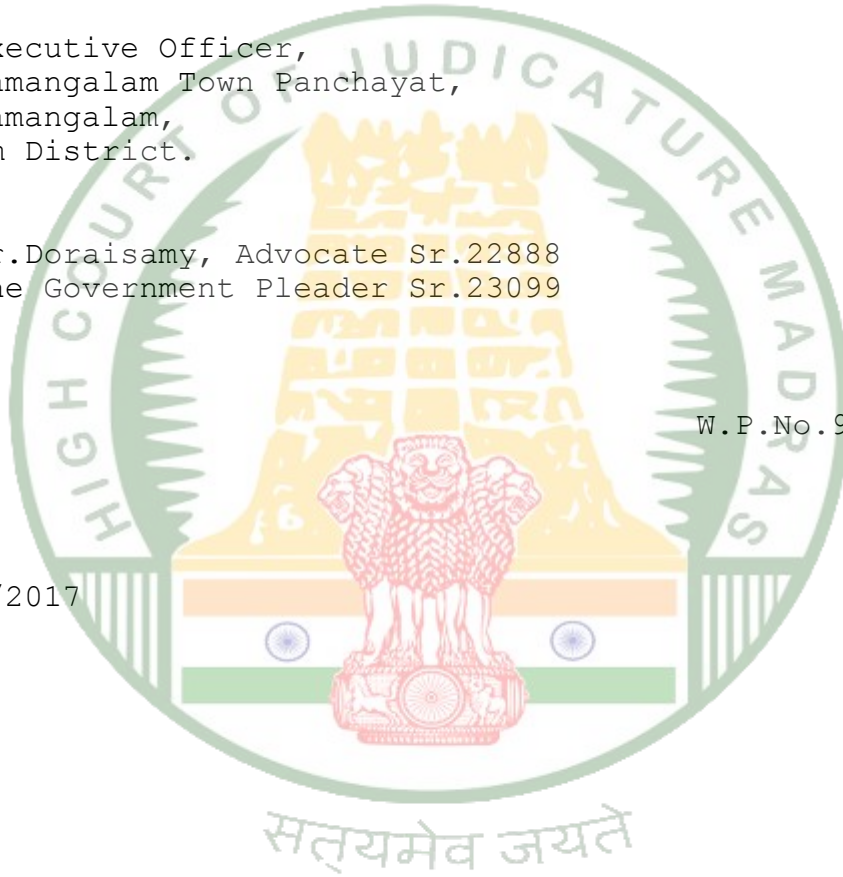
1. The Collector,
Salem District,
Salem.
2. The Tahsildar,
Omalur Taluk,
Omalur, Salem District.
3. The Executive Officer,
Tharamangalam Town Panchayat,
Tharamangalam,
Salem District.

+lcc to Mr.Doraisamy, Advocate Sr.22888

+lcc to the Government Pleader Sr.23099

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srg 26/04/2017



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