

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR.JUSTICE N.SESHASAYEE

WP.No.30781/2017

Samykanu

...

Petitioner

vs

1.The District Collector
Villupuram District,
Villupuram.

2.The Tahsildar
Gingee Taluk,
Villupuram District.

3.Nandhakumar

...

Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents to take appropriate action on the petitioner's representation dated 06.05.2017 to remove the encroachments made in Government Poramboke land in S.No.77/1, 30/7A, 30/7B at Rajampuliur Village, Gingee Taluk, Villupuram District.

For Petitioner : Ms.R.Divya for Mr.S.Sasikumar

For RR 1 & 2 : Mrs.M.E.Rani Selvam, AGP

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

By consent, the writ petition is taken up for final disposal. Mrs.M.E.Rani Selvam, learned Additional Government Pleader accepts notice on behalf of the respondents 1 and 2.

2 The petitioner claims that he is a resident of Rajampuliur Village, Gingee Taluk, Villupuram District and he

is also an agriculturist and having agricultural lands and to reach the said lands, the petitioner and the other residents of the village, have to go through the pathway situate on the Government Poramboke land in S.Nos.77/1, 30/7A and 30/7B and the said pathway is in existence for over 70 years. The grievance expressed by the petitioner is that the 3rd respondent had encroached upon the said pathway and has parked his Tractor attached with a mechanical plough and the Village Administrative Officer of Kurinjipai Group, Gingee Taluk, Villupuram District has also issued a Certificate dated 01.09.2017 stating that the petitioner and others using the said pathway to reach their agricultural lands and though the representation dated 06.05.2017 was received and acknowledged by the respondents 1 and 2, no action has been taken to abate the said nuisance and hence, the petitioner came forward to file this writ petition.

3 This Court heard the submissions of the learned counsel for the petitioner and Mrs.M.E.Rani Selvam, learned Additional Government Pleader appearing for the respondents 1 and 2 and also perused the materials placed before this Court.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in his representation or in this writ petition, directs the 2nd respondent to put the 3rd respondent on notice and thereafter, consider and dispose of the petitioner's representation dated 06.05.2017 in accordance with law and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the 3rd respondent herein.

5 The writ petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

AP

To

1.The District Collector
Villupuram District,
Villupuram.

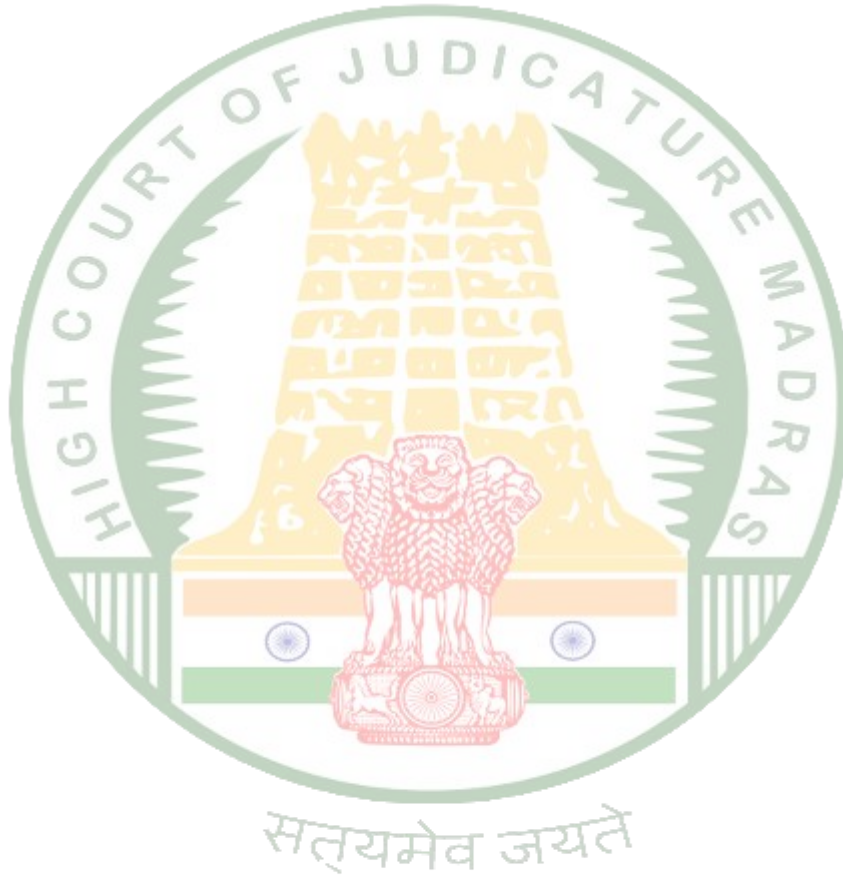
2.The Tahsildar
Gingee Taluk,
Villupuram District.

+1cc to the Government Pleader, S.R.No. 85120

WP.No.30781/2017

RJ (CO)

RRK (20/12/2017)



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