

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2017

CORAM

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

THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.9816 of 2017

Thulasimani ... Petitioner

Vs.

- 1 The District Collector
Erode District, Erode.
- 2 The District Revenue Officer
Erode, Erode District.
- 3 The Tahsildar
Perundurai Taluk
Erode District. ...Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents to remove the encroachments in the public road in S.No.376/1, Kambuliampatti Village, Perundurai Taluk, Erode District and restore the public road to its original position by considering the representation of the petitioner dated 25.11.2016.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.T.N.Rajagopalan
Spl. Government Pleader

ORDER

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

This writ petition has been filed with a prayer to mandamus the three official respondents before us to remove the encroachments in the public road in S.No.376/1, Kambuliampatti Village, Perundurai Taluk, Erode District.

2. Mr.T.N.Rajagopalan, learned Special Government Pleader accepts notice on behalf of the three official respondents.

3. The learned Special Government Pleader draws out attention to a communication dated 7.2.2017 bearing reference Oo.Mu.2839/2017/Oo2 from the District Revenue Officer, Erode (second respondent before us) to the jurisdictional Tahsildar (third respondent before us). In this communication, it has been stated that the encroachment in public road is causing hindrance and that necessary action has to be taken for removal of the same.

4. Consequent thereto, the jurisdictional Tahsildar (third respondent before us) has sent a communication dated 10.2.2017 bearing reference Oo.Mu.685/17/S2, to the Taluk Surveyor, Perundurai, to do the needful with regard to removal of encroachments after conducting field inspection.

5. The learned Special Government Pleader submits that the entire exercise of removal of encroachment in S.No.376/1, Kambuliampatti Village, Perundurai Taluk, Erode District, pursuant to the above said two communications from the District Revenue Officer, Erode and the Tahsildar, Perundurai Taluk, shall be completed within a period of two months. The said stand is taken on record.

6. We direct the official respondents to complete the entire exercise of removal of encroachment, as stated supra, in accordance with law within a period of two months from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To:

- 1 The District Collector
Erode District, Erode.
- 2 The District Revenue Officer
Erode, Erode District.

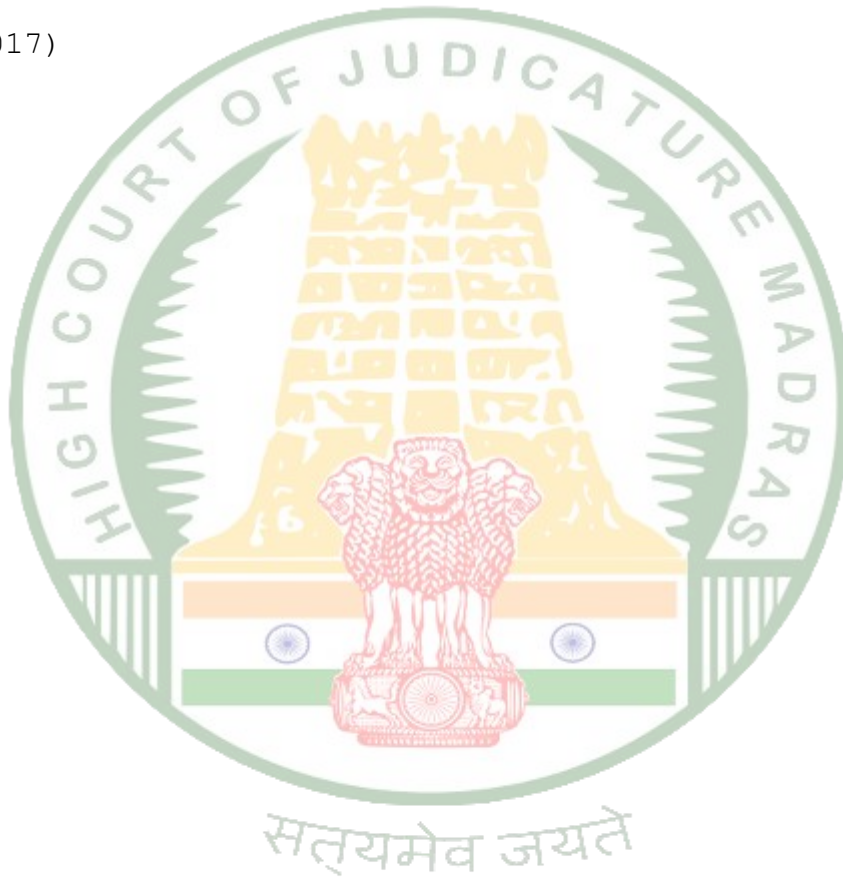
3 The Tahsildar
Perundurai Taluk
Erode District.

+lcc to M/S.N. Manokaran, Advocate Sr. 24433

+cc to the Government Pleader Sr. 24419

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RSI (CO)
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