

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.9826 of 2017

P.Gunasekaran .. Petitioner

Vs

- 1 The District Collector
Vellore District
Vellore and District.
- 2 The Block Development Officer
(Village Panchayat)
Anaicut Panchayat Union
Vellore District.
- 3 The Tahsildar
Anaicut Taluk
Vellore District-632 101.
- 4 The Inspector of Police
Virinjipuram Police Station
Anaicut Taluk
Vellore District.
- 5 N.Thulukkanam .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 1 to 4 herein to take action to remove the encroachment made by the 5th respondent herein in Village Panchayat Street comprised in S.No.349/24, Virinjipuram Village, Anaicut Taluk, Vellore District, in pursuance to the petitioner's representation dated 20.11.2015, 31.5.2016, 14.6.2016, 8.12.2016, 26.12.2016, 8.2.2017 and the proceedings of the 1st respondent made in Mu.Mu.P2/19111/2016, dated 30.11.2016, and the proceedings of the 2nd respondent in Na.Ka. No.A8/2292/2016, dated 8.2.2017.

For Petitioner : Mr.K.A.Ravindran

For Respondents : Mr.M.K.Subramanian
Government Pleader
for respondents 1 to 4

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 respondents 1 to 4 to remove an alleged encroachment said to have been made by the fifth respondent in Village Panchayat Street comprised in S.No.349/24, Virinjipuram Village, Anaicut Taluk, Vellore District, based on the representations of the petitioner dated 20.11.2015, 31.5.2016, 14.6.2016, 8.12.2016, 26.12.2016 and 8.2.2017.

2. Mr.M.K.Subramanian, learned Government Pleader accepts notice for respondents 1 to 4.

3. The fifth respondent is alleged to have encroached upon the Village Panchayat Street comprised in S.No.349/24, Virinjipuram Village, Anaicut Taluk, Vellore District.

4. From the proceedings that have been placed before us, it is seen that the Block Development Officer of the Village Panchayat (second respondent before us) has made local enquiries and come to a conclusion that there is, in fact, an encroachment in the above said S.No.349/24, Virinjipuram Village, Anaicut Taluk, Vellore District. In this regard, our attention is drawn to a communication dated 8.2.2017 bearing reference Na.Ka.No.A8/2292/2016 from the Block Development Officer.

5. Respondents 2 and 3 shall cause an inspection of the site in question i.e., S.No.349/24, Virinjipuram Village, Anaicut Taluk, Vellore District, to be made within a fortnight from the date of receipt of copy of this order and if any encroachment is found, the official respondents shall take action in accordance with law, after giving notice to all concerned, particularly the fifth respondent before us, and conclude the proceedings within a period of two months thereafter.

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

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sasi

To:

- 1 The District Collector
Vellore District
Vellore and District.
- 2 The Block Development Officer
(Village Panchayat)
Anaicut Panchayat Union
Vellore District.
- 3 The Tahsildar
Anaicut Taluk
Vellore District-632 101.
- 4 The Inspector of Police
Virinjipuram Police Station
Anaicut Taluk
Vellore District.

+1cc to Mr.K.A. Ravindran, Advocate Sr. 24595

+1cc to the Government Pleader Sr. 24464

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RSI (CO)
VR(3/5/2017)

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