

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.11.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

WP.No.30988/2017

P.Anbazhagan

Petitioner

Versus

1.The District Collector
Villupuram, Villupuram District.

2.The Tahsildar
Gingee, Villupuram District.

3.Rajakumaran
4.Chandranathan
5.Narayanasamy

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 1 and 2 authorities to remove the encroachments made by respondents 3 to 5 in the channel running in the lands comprised in Survey No.52/2, reaching the lake at Nahanur Village, Gingee Taluk, Villupuram District.

For Petitioner : Mr.G.Rajan

For RR1 & 2 : Mr.A.N.Thambidurai, Spl.GP

ORDER

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

By consent, the writ petition is taken up for final disposal. Mr.A.N.Thambidurai, learned Special Government Pleader accepts notice on behalf of the respondents 1 and 2.

2 The petitioner claims to be a resident of Neganur Village, Gingee Taluk, Villupuram District and is eking out his livelihood by carrying on agricultural activities and adjacent

to his land, a passage is running on the Government Poramboke land comprised in S.No.52/2, 54/1 and 52/3 and a channel is also there connecting the lake at Neganur village. It is the specific case of the petitioner that the passage in S.NO.52/3 is the only way to reach the tank situate at Parvathiaman Temple and it is used not only by the petitioner but also by the local residents. It is also the case of the petitioner that the respondents 3 to 5 had illegally encroached upon the said pathway and thereby, blocking the channel and as a consequence, the petitioner and other residents, especially, the agriculturists are put to irreparable loss and grave hardship and in this regard, the petitioner has submitted representations dated 14.11.2016 and 28.08.2017 respectively to the respondents 1 and 2 and despite receipt and acknowledgment, no response is forthcoming and hence, the petitioner is constrained to approach this Court by filing the present writ petition.

3 Heard the submissions of the learned counsel appearing for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the respondents 1 and 2 and also perused the materials placed before it.

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 representations or in this writ petition, directs the 2nd respondent to put the petitioner as well as the respondents 3 to 5 on notice and thereafter, consider and dispose of the petitioner's representations' dated 14.11.2016 and 28.08.2017 and pass appropriate orders within a period of ten 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 respondents 3 to 5 herein.

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

Sd/-

Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

AP

To

1.The District Collector
Villupuram, Villupuram District.

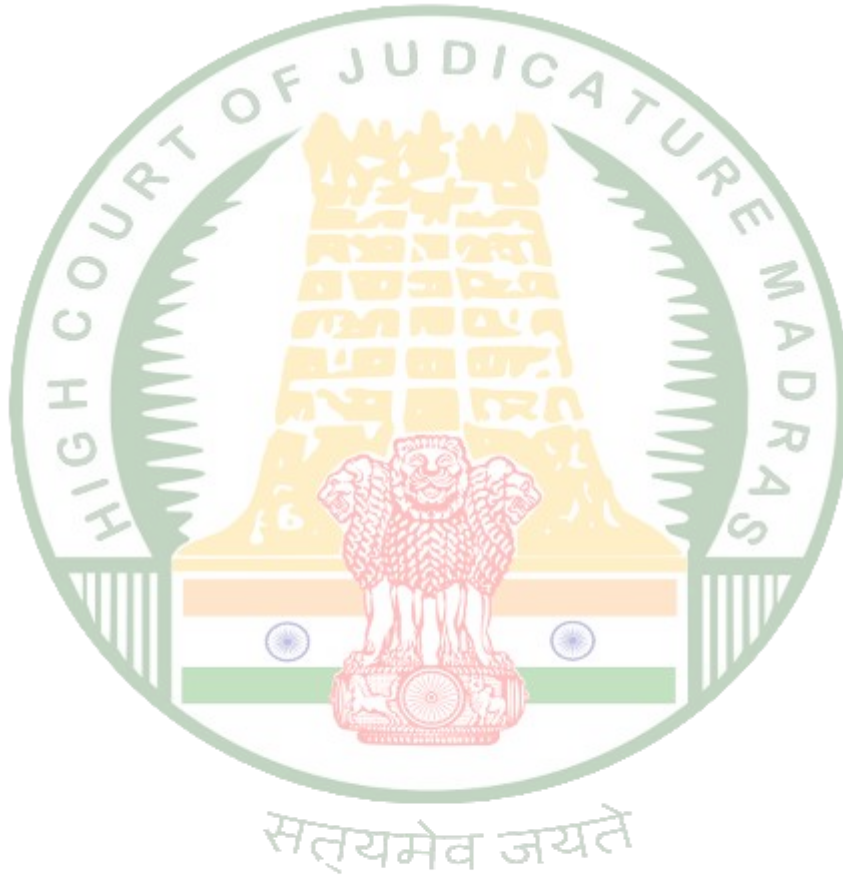
2.The Tahsildar
Gingee, Villupuram District.

+ 1 cc to M/s.Mr.G.Rajan Advocate,SR.84862

+ 1 cc to The Govt.Pleader, SR.85437

WP.No.30988/2017

ss(co)
nr 21/12/2017



WEB COPY