

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2017

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

WP.No.24841 of 2017

N.Krishnamaraja

...

Petitioner

Versus

1. The District Revenue Officer
Vellore – 632 004
Vellore District
2. The District Superintendent of Police
Vellore District
Vellore – 632 004
3. The Assistant Director of Survey
Vellore – 632 004
Vellore District
4. The Revenue Divisional Officer
Tiruppattur – 635 601
Vellore District
5. The Deputy Superintendent of Police,
Vellore
Vellore District.

6. The Deputy Inspector of Survey
Ambur – 635 802
Vellore District

7. The Tahsildar
Ambur Taluk
Ambur
Vellore District

8. Ramasamy

9. Chinnappan

10. Hari ... Respondents

PRAYER:- Writ petition filed under Article 226 of the Constitution of India prays to issue a Writ of Mandamus to direct the respondents 1 to 7 herein to remove the encroachment of the Government River Poramboke land by the respondents 8 to 10 herein in S.No.13, Chinnappallikuppam Village, Ambur Taluk, Vellore District as per G.O.Ms.No.540 Revenue (L.D.6 (2) Department dated 04.12.2014 by invoking the provisions of the Tamilnadu Land Encroachment Act 1905.

For Petitioner :

M/s.P.Mani

For RR 1 to 7 :

Mr.P.Sanjay Gandhi, AGP

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ORDER

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

By consent, this writ petition is taken up for final disposal. Mr.P.Sanjay Gandhi, learned Additional Government Pleader accepts notice on behalf of the respondents 1 to 7.

2 The petitioner has submitted that a representation dated 27.11.2016 to the 7th respondent followed by yet another representation dated 12.03.2017 addressed to the 4th, 5th and 6th respondents stating among other things that he is the owner of 1 acre in Survey No.2/1, 61 ½ cents in S.No.88 cents in S.No.2/2, 1.94 acres in S.No.2, 98 cents in S.No.2, Chinnappalikuppam Village, Ambur Taluk, Vellore District.

3 According to the petitioner, it is his specific case that the land in Survey No.13 of the said village is classified as "Government Poramboke" land which is being used as an ingress and egress of the nearby agricultural lands not only owned by the petitioner but also the adjacent land owners and 8th and 9th respondents had encroached upon the Government Poramboke Land preventing the use of the same and that

they have also started digging the earth for the purpose of manufacturing bricks and further, had put up thatched sheds and therefore, the access to the agricultural land have been denied and in this regard, despite two representations have been submitted, no action has been taken and hence, the petitioner came forward to file this writ petition.

4 This Court heard the submission of Mr.P.Sanjay Gandhi learned Additional Government Pleader appearing for the respondents 1 to 7 and perused the materials placed before it.

5 This Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 6th and 7th respondents permits the petitioner to submit one more representation to the 7th respondent along with copy of this order and also along with the earlier representation dated 27.11.2016 by enclosing necessary documents within a period of two weeks from the date of receipt of copy of this order and the 7th respondent, upon receipt of the same, is directed to put the respondents 8 to 10 on notice and thereafter consider and dispose of the petitioner's representation on merits and in accordance with law and pass orders within a further period of eight

weeks thereafter and communicate the decision taken to the petitioner as well as to the respondents 8 to 10 herein.

6 The writ petition stands disposed of with the above direction.

No costs.

[M.S.N.,J]

[N.S.S., J]

18.09.2017

Index : No

Internet : Yes

rka/dh

To

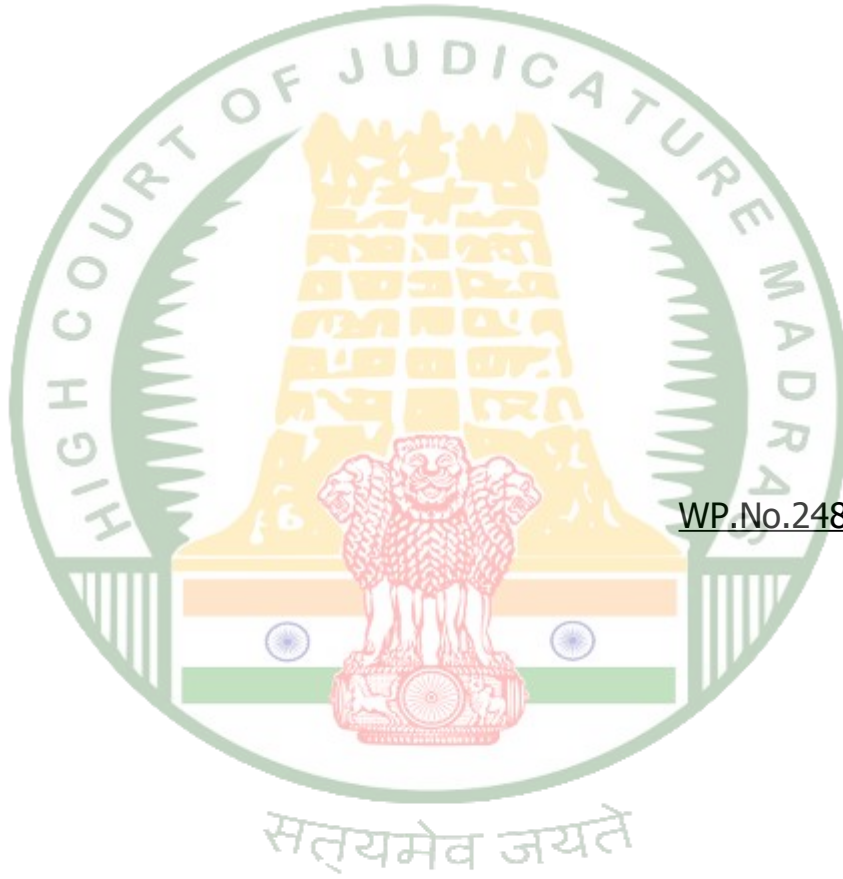
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