

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 08.11.2017
CORAM

THE HONOURABLE Mr.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE Mr.JUSTICE N.SESHASAYEE

W.P.No.26296 of 2017

M.Subramani

... Petitioner

Vs.

1.The District Collector
Erode District.

2.The Superintendent of Police
Erode District.

3.The Revenue Divisional Officer,
Erode Division
Erode District.

4.The Tahsildar
Kodumudi Taluk
Erode District.

5.The Revenue Inspector
Sivagiri Revenue Village
Kodumudi Taluk
Erode District.

6.The Village Administrative Officer,
Punjai Kolanali Village
Kodumudi Taluk
Erode District.

7.R.Palanisamy

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing the respondents 1 to 6 to demolish the unauthorized wall constructed in the Poramboke pathway in front of the petitioner's house i.e., No.6, Villiyampalayam, Punjai Kolanali Village, Kodumudi Taluk, Erode District.

For Petitioner
For Respondents

: Mr.K.Karthikeyan
: Mr.A.N.Thambidurai
Special Government Pleader

O R D E R

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

By consent, the writ petition is taken up for final disposal.

2. The petitioner, alleging encroachment on the part of the seventh respondent and inaction on the part of the official respondents, approached this Court by filing this writ petition. When the matter was listed on 09.10.2017 and on going through the materials submitted by the petitioner, this Court prima facie found that the petitioner himself is an encroacher of the government poramboke land.

3. Mr.A.N.Thambidurai, learned Special Government Pleader, who accepts notice on behalf of the official respondents sought time to get instructions and so also the learned counsel appearing for the petitioner prayed for time to produce the additional typed set of documents with supporting documents to prove that he has not encroached the government land and accordingly the matter was listed today.

4. The learned Special Government Pleader would submit that the representation submitted by the petitioner has been considered by the officials and vide proceedings of the fourth respondent in Moo.Mu.2693/2017/A1 dated 17.10.2017, orders have been passed directing the Deputy Tahsildar to remove the encroachment and it was communicated to the petitioner and it has also been stated in the said proceedings that if the petitioner was not satisfied with the order, he is at liberty to submit a representation to the Revenue Divisional Officer within a stipulated time. The said proceedings of the fourth respondent is taken on file.

5. In the light of the same, nothing survives for further adjudication in this writ petition and hence it is closed with an observation that if the petitioner is aggrieved by the above said proceedings, he is at liberty to submit a fresh representation to the jurisdictional Revenue Divisional Officer within thirty days from the date of receipt of a copy of this order and upon receipt of the same, the jurisdictional Revenue

Divisional Officer is directed to take immediate action for removal of the encroachments in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To:

- 1.The District Collector
Erode District.
- 2.The Superintendent of Police
Erode District.
- 3.The Revenue Divisional Officer,
Erode Division
Erode District.
- 4.The Tahsildar
Kodumudi Taluk
Erode District.
- 5.The Revenue Inspector
Sivagiri Revenue Village
Kodumudi Taluk
Erode District.
- 6.The Village Administrative Officer,
Punjai Kolanali Village
Kodumudi Taluk
Erode District.

+1 cc to Mr.K.Karthikeyan Advocate sr 79691
+1 cc to the Govt Pleader sr 79908

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aa04/12/2017