

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE N.SESHASAYEE

W.P.No.16761/2017

M.Kaliappan

.. Petitioner

Vs

1.The District Collector
Krishnagiri District.

2.The District Revenue Officer,
Krishnagiri.

3.The Tahsildar,
Uthangarai,
Krishnagiri District.

4.K.M.Palanivel,
Muthampatty Village,
Periyakottakulam Post,
Uthangarai Taluk,
Krishnagiri District.

5.M.Palanivel,
Muthampatty Village,
Periyakottakulam Post,
Uthangarai Taluk,
Krishnagiri District

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus, directing the 1st to 3rd respondents to evict the encroachment as found in Survey No.171/1, 171/3 of the Tiruvanapatti Village being a Carttrack within a time frame.

For Petitioner : Mr.P.Paramasiva Doss

For RR 1 to 3 : Mr.M.Elumalai,
Government Advocate

ORDER

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

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

2 The petitioner claims that he possesses agricultural land admeasuring to an extent of 2 hectares in Survey No.170/4, 170/1B, Thiruvanapatti Village, Krishnagiri Taluk and District and pathway located which connects the Anandur - Agrapharam Road and it is classified as ''oni poramboke'' (Government land) bearing Survey No.171/1.

3 The grievance expressed by the petitioner is that the 4th and 5th respondent has encroached upon the said land admeasuring to an extent of 0.30.0 and 0.70.0 hectares respectively in Survey No.171/1 and 171/3 and in this regard, had submitted a representation dated 09.06.2017 to the 3rd respondent and inspite of receipt and acknowledgment, he is yet to be favoured with any kind of response and hence, came forward to file this Writ Petition.

4 Heard Mr.P.Paramasiva Doss, learned counsel appearing for the petitioner and Mr.M.Elumalai, learned Government Advocate accepts notice on behalf of the respondents 1 to 3.

5 Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim, contents and averments made in this writ petition, directs the 3rd respondent to put the respondents 4 and 5 on notice and thereafter, consider and dispose of the petitioner's representation dated 19.06.2017 on merits and in accordance with law and pass appropriate orders within a period of eight 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 4 and 5.

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

Sd/--

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

rka/sk

To

1.The District Collector
Krishnagiri District.

2.The District Revenue Officer,
Krishnagiri.

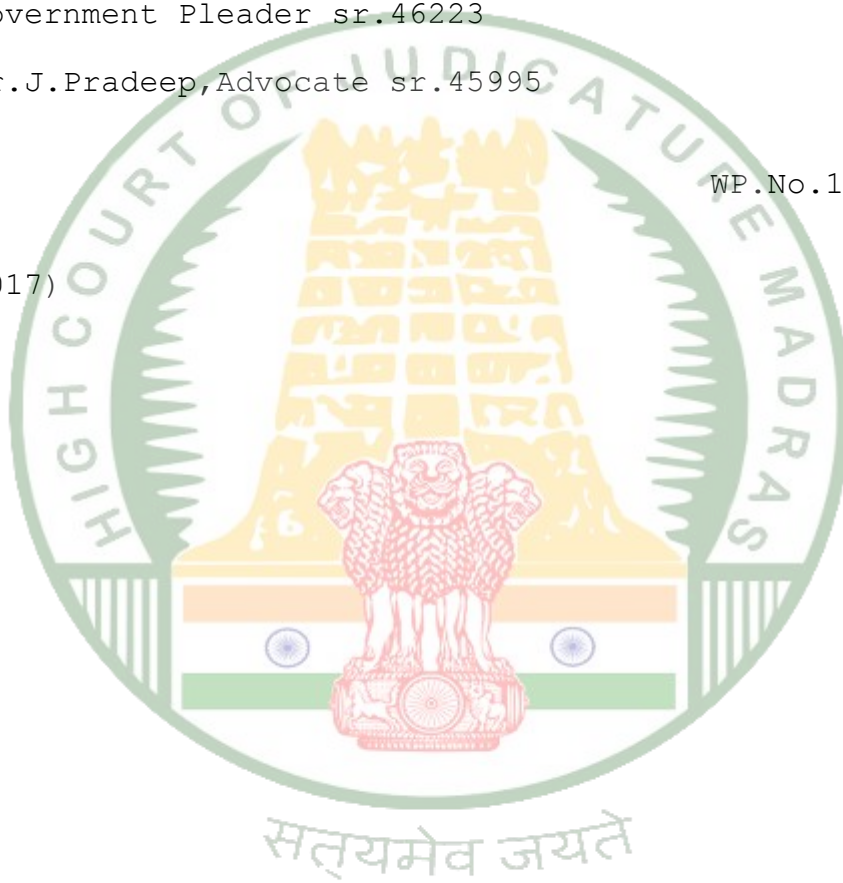
3.The Tahsildar,
Uthangarai,
Krishnagiri District.

+1cc to Government Pleader sr.46223

+1cc to Mr.J.Pradeep, Advocate sr.45995

WP.No.16761/2017

pa(co)
ss(19/7/2017)



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