



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.11451 of 2014

1.Saravanan

2. Sonai

: Petitioner

Vs.

1.The District Collector,
Virudhunagar,
Virudhunagar District.

2.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3.The Tahsildhar,
Kariyapatti Taluk,
Virudhunagar District.

4.The Commissioner,
Kariyapatti Panchayat Union,
Kariyapatti Taluk,
Virudhunagar.

5.The President,
Nanadhikoondur Panchayat,
Kariyapatti Taluk,
Virudhunagar.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, for the removal of the encroachment in Survey No.151/3, 151/5 (307/1,307/2) situated in the Survey of Nandi Koondur Panchayat, Melathulukankulam, Kariyapatti Taluk, Virudhunagar District.

For Petitioner

: Mr.G.Mariappan

For Respondents 1 to 3

: Mr.M.Govindan

Special Government Pleader

For Respondent No.4

: No appearance

For Respondent No.5

: Mr.P.Athimoola Pandian

**ORDER**

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

This writ petition has been filed for removal of the encroachments in Survey Nos.151/3, 151/5 (307/1,307/2), of Nandi Koondu Panchayat, Melathulukankulam, Kariyapatti Taluk, Virudhunagar District.

2. The writ petitioner has sent a representation dated 25.06.2014 to all the authorities concerned. The fifth respondent has also filed a counter affidavit stating that they have issued a notice dated 10.07.2014, in this regard. But, it appears that no follow up action was taken.

3. This Court therefore directs the fifth respondent to continue the process already initiated and remove the encroachment in the said survey numbers, of course after following due process of law.

4. Such exercise shall be completed within four months from the date of receipt of a copy of this order. Since at present the Panchayat is headed by the Special Officer, it shall be the duty of the Special Officer to comply with the direction issued in this Writ Petition.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Virudhunagar,
Virudhunagar District.

2.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

3.The Tahsildhar,
Kariyapatti Taluk,
Virudhunagar District.

4.The Commissioner,
Kariyapatti Panchayat Union,
Kariyapatti Taluk, Virudhunagar.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.68961

+1cc to Mr.G.MARIAPPAN Advocate in SR. No.68654

MR/TA/AKV

JS/SKN.RSK/SAR.1/9.8.2017/2P-7C

ORDER MADE IN

W.P. (MD) No.11451 of 2014

27.07.2017