



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2017

CORAM:

THE HONOURABLE THE CHIEF JUSTICE

AND

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P. [MD].No.10249 of 2015

K.Balakrishnan

: Petitioner

Vs.

1.The District Collector,
Thanjavur,
Thanjavur District.

2.The Tahsildar,
Boodhalur Taluk,
Thanjavur District.

3.The President,
Gunamangalam Village,
Boodhalur Taluk,
Thanjavur District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing respondent Nos.1 to 3 to remove the encroachment made in the public road passing through S.Nos.379/2B, 3B, 4B, 4C, 5B2, 5C2 and 6B of Gunamangalam Village, Boodhalur Taluk, Thanjavur District.

For Petitioner

: Mr.K.Govindarajan

For Respondents

: Mr.M.Govindan,

Special Government Pleader

O R D E R

[Order of the Court was made by **The Hon'ble Chief Justice.**]

In this writ petition the petitioner has prayed for an order on the respondent Nos.1 to 3 to remove encroachments made in the public road passing through in Survey Nos.379/2B, 3B, 4B, 4C, 5B2, 5C2 and 6B of Gunamangalam Village, Boodhalur Taluk, Thanjavur District. The proceedings dated 13th October, 2004 of the Tahsildar concerned shows that the survey numbers in question are shown as "Cart Track" as per the village Field Map Book.



3. The second respondent shall forthwith inspect the lands in question and if any encroachment is found on land earmarked for road or Cart Track, immediate steps shall be taken for removal thereof in accordance with law. Unauthorised encroachment, if any, shall positively be removed within three months, upon notice to the concerned encroachers. Needless to mention that if the concerned encroachers cannot be identified, notice by publication in a vernacular newspaper having wide circulation in the locality will suffice.

4. This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(Record)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Thanjavur,
Thanjavur District.

2.The Tahsildar,
Boodhalur Taluk,
Thanjavur District.

3.The President,
Gunamangalam Village,
Boodhalur Taluk,
Thanjavur District.

+1cc to Mr.K.GOVINDARAJAN Advocate in SR. No.67155

GCG

JS/SV/SAR.3/31.07.2017/2P-5C

**ORDER MADE IN
W.P. (MD) .No.10249 of 2015
24.07.2017**