

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****Dated : 31.07.2017****CORAM:****THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN****AND****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P. (MD) .No.16248 of 2014**

WEB COPY

P.Kaleeswaran

... Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Sivagangai Taluk,
Sivagangai Collectorate,
Sivagangai.
3. The Revenue Inspector,
Kalaiyarkovil,
Sivagangai District.
4. The President,
Kalaiyarkovil Village Panchayat,
Kalaiyarkovil,
Sivagangai District.
5. Sathaiah
6. Subramani
7. Kattayan @ Muniyandi

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 7 in Survey No.294/11 situated at Thendral Nagar, Kalaiyarkovil Village, Sivagangai District in implementing the notice dated 22.07.2014 issued by the 3rd respondent and also in considering the petitioner's representation dated 13.08.2014 and to take suitable action against the respondents 5 to 7 in accordance with law.

For Petitioner : Mr.Amjad Khan

For R1 to R4 : Mr.T.S.Mohamed Mohaideen

Additional Government Pleader

For R5 to R7 : No appearance

**ORDER**

[Judgment of the Court was delivered by **G.R.SWAMINATHAN, J.**]

The writ petitioner seeks removal of the encroachments said to have been made by the respondents 5 to 7 in Survey No.294/11 situated at Thendral Nagar, Kalaiyarkovil Village, Sivagangai District.

2.The third respondent has already issued notice dated 22.07.2014 in this regard, but there has been no follow up action. The petitioner has also given a representation dated 13.08.2014.

3.The third respondent is directed to issue a fresh notice under Section 7 of Tamil Nadu Land Encroachment Act, to the encroachers and other interested parties. After getting explanation from the encroachers and after following the statutory procedure, final order shall be passed for removal of the encroachment in question. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Sivagangai Taluk,
Sivagangai Collectorate,
Sivagangai.
3. The Revenue Inspector,
Kalaiyarkovil,
Sivagangai District.

+1cc to Mr.T.Amjad Khan, Advocate Sr.No.96123

MM/VSG

VB/MR/KKR/SAR1/04/10/2017/2P/5C