

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 20.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
W.P. [MD].No.11368 of 2017
and
W.M.P. (MD)No.8749 of 2017

S.Muniyasamy

: Petitioner

Vs.

1. The District Collector,
District Collector's Office,
Ramnad, Ramnad District.
2. The Revenue Divisional Officer,
R.D.O.Office,
Ramnad, Ramnad District.
3. The Tahsildar,
Taluk Office, Thiruvadanai,
Ramnad District.
4. Allapitchai

: Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to remove the encroachment committed by the fourth respondent at S.F.No.84/2 Narendhal Village, Thiruvadanai Taluk, Ramnad District within a stipulated period as may be fixed by this Court.

For Petitioner : Mrs.R.Bhuvaneswari,
For Mr.R.Sundar.
For Respondents 1 to 3: Mr.M.Govindan,
Special Government Pleader.
For Respondent No.4 : Mr.V.Raghavachari.

O R D E R

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this Writ Petition to direct the respondents 1 to 3 to remove the encroachment stated to have been caused by the fourth respondent in respect of the land in S.F.No.84/2, Narendhal Village, Thiruvadanai Taluk in the district of Ramnad.



2. The learned counsel for the fourth respondent contended that the Government have granted assignment of land in S.F.No.84/2, Narendhal Village, as per proceedings dated 31 March, 1963. The learned counsel, therefore, contended that the fourth respondent is not an encroacher.

3. We direct the Tahsildar, the third respondent herein, to consider as to whether there is any violation of the order of assignment dated 31 March, 1963 and to consider further action in accordance with law. Such exercise shall be completed, within a period of three months from the date of receipt of a copy of this order. It is needless to point out that notice should be issued to the fourth respondent, before taking any action in the matter for violation of the terms and conditions of assignment.

4. The Writ Petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
District Collector's Office,
Ramnad, Ramnad District.
2. The Revenue Divisional Officer,
R.D.O. Office, Ramnad,
Ramnad District.
3. The Tahsildar,
Taluk Office, Thiruvadanai,
Ramnad District.

+1cc to M/S. R.SUNDAR, Advocate, SR.No.66904.

+1cc to M/S. V.RAGHAVACHARI, Advocate, SR.No.66888.

+1cc to Special Government Pleader, SR.No.67134.

Order made in
W.P.[MD].No.11368 of 2017
20.07.2017