



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11402 of 2017

WEB COPY

M.Pandiarajan

.. Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

3.The Tahsildar,
Thiruchuli,
Virudhunagar District.

4.The Block Development Officer,
Narikudi Panchayat Union,
Narikudi,
Virudhunagar District.

5.B.Senthil Murugan
(R5 is impleaded vide Court dated 26.07.2017
in W.M.P. (MD) .No.10773/17)

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to remove the encroachment made over the Narikudi chathiram Orani is situated in S.No.523 with the extent of 2.47.0 Hectares based on the petitioner's representation dated 13.04.2017 according to law within a stipulated time.

For petitioner : Mr.S.Sivakumar

For R1 to R3 : Mr.T.S.Md.Mohaideen
Additional Government Pleader

For R4 : Mr.Mr.Pandiyarajan for
Mr.V.R.Shanmuganathan

For R5 : No appearance



O R D E R

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

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The petitioner has come up with this writ petition to direct the respondents 1 to 3 to remove the encroachment stated to have been caused by the fifth respondent.

2.The counter affidavit of the Block Development Officer, Virudhunagar District, contained a clear indication that the contractor kept the building materials on the side of Orani and the same was removed subsequently.

3.According to the Block Development Officer, Virudhunagar District, there is no act of encroachment as-on-today.

4.In view of the affidavit filed by the fourth respondent, nothing survives for adjudication in this matter. It is always open to the petitioner to approach the concerned authority, still there is encroachment.

The writ petition is disposed of with the above observation.
No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

TO

Sub Assistant Registrar

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

3.The Tahsildar,
Thiruchuli,
Virudhunagar District.

4.The Block Development Officer,
Narikudi Panchayat Union,
Narikudi, Virudhunagar District.

+lcc to THE SPECIAL GOVERNMENT PLEADER in SR. No.72605

NS

JS/GT/SAR.2/29.08.2017/2P-6C

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ORDER MADE IN

W.P(MD)No.11402 of 2017

10.08.2017