



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.11963 of 2017

D.Koilpillai

.. Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Palayamkottai, Tirunelveli.

3.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.

4.The Block Development Officer/Special Officer,
Manappadai Veedu Panchayat,
Tirunelveli District.

5.P.Lakshmanan

6.L.Dharmalinga

7.L.Dhakshinamoorthi

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachments and obstructions made by the respondents 5 to 7 from Survey Nos.188/96 and 188/97, Manappadai Veedu Village, Tirunelveli District.

For Petitioner : Mr.S.Balamurugan

For RR 1 to 4 : Mr.K.Guru,
Additional Government Pleader.

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 to 4 to remove encroachments which are in existence in Survey Nos.188/96 and 188/97, Manappadai Veedu Village, Tirunelveli District, by way of issuing a Writ of Mandamus.

2.Mr.K.Guru, learned Additional Government Pleader, has taken notice for the respondents 1 to 4. Considering the nature of the relief sought in the Writ Petition and also classification of Survey Nos.188/96 and 188/97, notice need not be sent to the remaining



respondents.

3.The learned counsel appearing for the petitioner has contended to the effect that Survey Nos.188/96 and 188/97 have been classified as Government lane and also Government Poramboke land, wherein the respondents 5 to 7 have made certain encroachments. under the said circumstances, the present Writ Petition has been filed for getting the relief sought therein.

4.The learned Additional Government Pleader appearing for the respondents 1 to 4 has contended that already the concerned Revenue Divisional Officer has directed the concerned Tahsildar to take appropriate proceedings for removing encroachments alleged to have been made in Survey Nos.188/96 and 188/97.

5.It is seen from the records that Survey No.188/96 has been classified as Government lane, likewise Survey No.188/97 has been classified as Government Poramboke land. Further it is seen from the records that the concerned Revenue Divisional Officer has directed the concerned Tahsildar to take appropriate proceedings for removing encroachments which are in existence in Survey Nos.188/96 and 188/97. Under the said circumstances, this Court is inclined to pass the following order.

6.In fine, this Writ Petition is allowed without costs. The third respondent is directed to conduct proper survey in respect of Survey Nos.188/96 and 188/97 after giving proper opportunity to the respondents 5 to 7 and if there is any encroachment in the said survey numbers directed to remove the same under due process of law within a period of two months.

Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
- 2.The Revenue Divisional Officer,
Palayamkottai, Tirunelveli.
- 3.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli District.
- 4.The Block Development Officer/Special Officer,
Manappadai Veedu Panchayat,
Tirunelveli District.

+1cc to Mr.S.Balamurugan Advocate in SR. No.62581

+1cc to The Special Government Pleader in SR. NO.62849

PS