



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.06.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **T.S.SIVAGNANAM**
AND
THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

W.P. [MD].No.12183 of 2017

Thangaraj : Petitioner

Vs.

1. The District Collector,
Trichy District,
Trichy.

2. The Revenue Divisional Officer,
Trichy,
Trichy District.

3. The Tahsildar,
Musiri,
Trichy District.

4. The Revenue Inspector,
Pulivalam, Musiri Taluk,
Trichy District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, praying to issue as Writ of Mandamus forbearing the 3rd respondent from dispossessing the petitioner and his family from Survey Nos.318/1, 318/4 and natham Survey No.310/13 of Thiruthiyamalai Village, Musiri Taluk, Trichy District without the procedure established under law and subsequently direct the 1st respondent to conduct enquiry on the basis of the petitioner's representation dated 05.06.2017.

For Petitioner : Mr.R.Pon Karthikeyan

For Respondents : Mr.T.S.Mohammed Mohaideen
Additional Government Pleader

**ORDER***********

[Order of the Court was made **T.S.SIVAGNANAM, J.**]

Heard Mr.R.Pon Karthikeyan, learned counsel appearing for the petitioner and Mr.T.S.Mohammed Mohaideen, learned Additional Government Pleader appearing for the respondents.

2. By consent of both sides, this writ petition itself is taken up for final disposal.

3.The petitioner apprehending that he may be dispossessed from the property in question, has approached this Court for a prohibitory order based on the report sent by the Revenue Inspector dated 28.04.2017. It is the admitted case of the petitioner that till date the third respondent has not proceeded further pursuant to such report. Therefore, we find that the writ petition is premature. It is needless to state that if action is initiated for removal of encroachment by the third respondent or any competent authority, the said authority shall follow the relevant rules and regulations, affording opportunity of hearing to all concerned.

4.Thus, the Writ Petition is dismissed with the above observations. No costs.

Sd/-

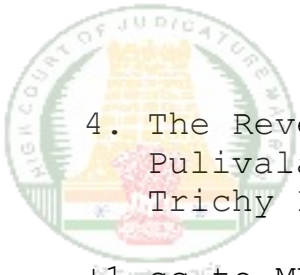
Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Trichy District,
Trichy.
2. The Revenue Divisional Officer,
Trichy,
Trichy District.
3. The Tahsildar,
Musiri,
Trichy District.



4. The Revenue Inspector,
Pulivalam, Musiri Taluk,
Trichy District.

+1 cc to MR.R.Pon Karthikeyan , Advocate in SR.No. 62968

+1 cc to The Special Government Pleader in SR.No.63123

sj/ls

AE/KP/SAR3/01.08.2017/3P/7C

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