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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.1288 of 2017

C.Ilangovan

.. Petitioner

Vs.

1. The District Collector,
Pudukkottai District, Pudukkottai.

2. The Tahsildar,
Kulathur Taluk, Pudukkottai District.

3. Saravanan

4. Sathiyamoorthy

5. The Block Development Officer,
Kundrandar Kovil Union,
Pudukkottai District.

6. The Special Officer,
Vathanakottai Panchayat,
Pudukkottai District.

(Respondents 5 and 6 are impleaded
vide order of court dated 08.02.2017 made in
W.M.P (MD) No.1582 of 2017).

.. 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 and 2 to consider the representation of the petitioner dated 04.06.2016 to remove the encroachment made by the third and fourth respondents in Survey Nos.70/9, 70/31 situated at Vathanakottai Village, Kulathur Taluk, Pudukkottai District within a time as may be fixed by this Court.

For Petitioner : Mr.A.Mohan

For Respondents 1 and 2: Mr.D.Muruganandam,
Additional Government Pleader.

<https://hcservices.ecourts.gov.in/hcservices/> For Respondent No.5 : Mr.J.Gunaseelan Muthaiah

**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 5 and 6 to remove encroachments which are in existence in Survey Nos.70/9 and 70/31, Vathanakottai Village, Kulathur Taluk, Pudukottai District, by way of issuing a writ of mandamus.

2.Considering the classification of survey numbers mentioned in the petition in revenue records, notice need not be sent to the respondents 3 and 4.

3.It is seen from the records that Survey No.70/31 has been classified as a cart track and Survey No.70/9 has been classified as a a pathway.

4.The main contention putforth on the side of the petitioner is that the respondents 3 and 4 have made certain encroachments in Survey Nos.70/9 and 70/31.

5.It has already been pointed out that with the aidance of revenue records, it is seen that Survey No.70/31 has been classified as a cart track and Survey No.70/9 has been classified as a a pathway. Under the said circumstances, this Court is inclined to pass the following order.

6.In fine, this writ petition is allowed without costs and the respondents 5 and 6 are strictly directed to remove encroachments which are in existence in Survey Nos.70/9 and 70/31, Vathanakottai Village, Kulathur Taluk, Pudukottai District 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,
Pudukkottai District, Pudukkottai.
2. The Tahsildar,
Kulathur Taluk, Pudukkottai District.
3. The Block Development Officer,
Kundrandar Kovil Union,
Pudukkottai District.



4. The Special Officer,
Vathanakottai Panchayat,
Pudukkottai District.

+1CC TO MR.A.MOHAN, ADVOCATE IN SR 8570

+1CC TO MR.J.GUNASEELAN MUTHIAH, Advocate in SR No.8396

ORDER MADE IN
W.P (MD) No.1288 of 2017
15.02.2017

smn

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