



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.[MD].No.1348 of 2017

S.Marimuthu

: Petitioner

Vs.

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The Thasildhar,
Thiruvadanai Taluk,
Ramanathapuram District.

3.The Executive Officer,
Kadambur Group Village,
Mangalakudi,
Oorani Kottai (post)
Thiruvadanai Taluk,
Ramanathapuram District.

4.Ravi

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Respondent Nos.1 to 3 to consider and take action in terms of G.O.Ms.No.540 Revenue L.D.6(2) Department, dated 04.12.2014, in pursuance of the Petitioner's representations dated 20.01.2016 to remove the encroachments made on Government land Sluice (Kaligua) of Kadanbur Kanmai in Survey No.125/1 and others Kadambur Group Village, Mangalakudi, Oorani Kottai (Post), Thiruvadanai Taluk, Ramnad District.

For Petitioner

: Mr.S.J.Chakkaravarthy

For Respondents 1 to 3 : Mr.M.Govindan,

Special Government Pleader

<https://hcservices.ecourts.gov.in/hcservices/> For Respondent No.4

: Mr.R.Sundar Srinivasan



O R D E R

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

This Writ Petition is filed to direct the respondents 1 to 3 to remove the encroachment in respect of the land in Survey No.125/1, Kadambur Group Village, Mangalakudi, Oorani Kottai (Post), Thiruvadanai Taluk, Ramnad District.

2. The learned Special Government Pleader, on instructions, submitted that the Government have already assigned the land in question to Sarathal and Pachaiaammal and as such, it cannot be said that there is encroachment.

3. Since the Government have already assigned the land to third parties, there is no question of directing the respondents 1 to 3 to remove the encroachment. It is open to the petitioner to challenge the assignment, in case he is aggrieved.

4. The Writ Petition is disposed of with the above observation. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector,Ramanathapuram, Ramanathapuram District.

2.The Thasildhar, Thiruvadanai Taluk, Ramanathapuram District.

3.The Executive Officer, Kadambur Group Village,
Mangalakudi, Oorani Kottai (post), Thiruvadanai Taluk,
Ramanathapuram District.

+1CC to Mr.S.J.Chakkaravarthy, Advocate, SR.No. 64740

+1CC to Mr.R.Sundar Srinivasan, Advocate, SR.No. 65186

+1CC to the Special Government Pleader SR.No. 65591

Order made in
W.P.[MD].No.1348 of 2017
Dated:
12.07.2017

SML/MR

AM/SKN RSK/SAR 2/20.07.2017/2P/7C