



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.14204 of 2017

S.Thirupathi

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Dindigul West,
Dindigul District.

3.The Block Development Officer,
Reddiarchathiram,
Dindigul District.

4.The Inspector of Police,
Reddiarchathiram Police Station,
Dindigul District.

5.The President,
Kamatchipuram Panchayat,
K.Ellaipatti,
Dindigul District.

6.Balamurugan

7.Kamatchi

8.Rajan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 5 to initiate proceeding to remove the encroachments made by the 6,7 & 8 respondents comprised in Survey No.43, Kamatchipuram Village, Dindigul District on the basis of the petitioner's representation dated 08.08.2016.

For Petitioner : Mr.M.Sivakumar

For Respondents 1to 4 : Mr.T.S.Mohammed Mohideen

Additional Government Pleader

For Respondents 6 to 8 : Mr.S.Venkatesh

O R D E R

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The writ petitioner seeks removal of the encroachment said to have been committed by the respondents 6 to 8 in Survey No.43, Kamatchipuram Village, Dindigul District. The writ petitioner gave a representation dated 08.08.2016.

2.The counsel for the private respondents would contend that the character of the land in question is Natham and therefore the authorities will not have any jurisdiction in the matter.

3.Be that as it may, this Court directs the second respondent to enquire into the matter and pass appropriate orders in accordance with law, after hearing the parties concerned. It is open to the private respondents herein to place all the objections including the jurisdictional aspects before the second respondent. The second respondent shall pass final orders within a period of three months from the date of receipt of a copy of this order.

4.This Writ Petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(WRITS)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Dindigul West,
Dindigul District.

3.The Block Development Officer,
Reddiarchathiram,
Dindigul District.

4.The Inspector of Police,
Reddiarchathiram Police Station,
Dindigul District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 73891

+1cc to Mr.M.SIVAKUMAR Advocate in SR. No.73990

+1cc to Mr.D.VENKATESH Advocate in SR. No.73570

RMI

JS/GT/SAR.1/7.9.2017/2P-8C

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ORDER MADE IN

W.P. (MD) No.14204 of 2017

21.08.2017