



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 02.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P(MD)No.1555 of 2017

Sundarraaj

.. Petitioner

Vs.

1.The District Collector,
Trichy.

2.The District Revenue Officer,
Trichy District.

3.The Revenue Divisional Officer,
Sriengam Revenue Division,
Trichy.

4.The Tahsildar,
Manaparai Taluk,
Trichy District.

5.Ponnusamy

6.Nallusamy

.. 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 encroachment made by the respondents 5 and 6 in S.F.No.83/3, Inam Reddiarpatti Village, Manaparai Taluk, Trichy District.

[Prayer is amended vide order dated 17.02.2017 made in W.M.P(MD)No.1897 of 2017].

For Petitioner

: Mr.B.Sekar

For Respondents 1 to 4

: Mr.D.Muruganandam,
Additional Government Pleader.

ORDER

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

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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 S.F.No.83/3, Inam Reddiarpatti Village, Manaparai Taluk, Tiruchirappalli District, by way of issuing a writ of mandamus.

2.Considering the nature of the relief sought in the writ petition and also classification of S.F.No.83/3, notice need not be sent to the respondents 5 and 6.

3.The main contention putforth on the side of the petitioner is that S.F.No.83/3, Inam Reddiarpatti Village, Manaparai Taluk, Tiruchirappalli District has been classified as cart track and the same belongs to the Government.

4.The learned Additional Government Pleader appearing for the respondents 1 to 4 has submitted a copy of 'A' Register, wherein it has been clearly shown that S.F.No.83/3 is nothing, but cart track.

5.Considering the contention putforth on the side of the petitioner and also considering the classification of S.F.No.83/3 as cart track, this Court is inclined to pass the following order.

6.In fine, this writ petition is allowed without costs and the fourth respondent viz., Tahsildar, Manapparai Taluk is directed to measure S.F.No.83/3 in accordance with revenue records and if there is any encroachment directed to remove the same under due process of law within a period of two months.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1.The District Collector, Trichy.

2.The District Revenue Officer,
Trichy District.

3.The Revenue Divisional Officer,
Srirengam Revenue Division, Trichy.

4.The Tahsildar,
Manaparai Taluk, Trichy District.

+1 CC to M/s.THE SPECIAL GOVERNMENT PLEADER, SR No. 12266

SMN

PSM/CM-MSA/SAR2/08.03.2017/2P/6C