



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.1613 of 2017

C.Chinniah

.. Petitioner

Vs.

1.The District Collector,
Madurai Collector Office,
Madurai.

2.The Tahsildar,
Melur Taluk Office,
Melur, Madurai District.

3.The Village Administrative Officer,
Pattur Village, Melur Taluk,
Madurai District.

4.C.Raja

.. 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 3 to take necessary action to remove the encroachment made by the fourth respondent in S.No.436 in Pattur Village, Melur Taluk, Madurai District, which belongs to Government, which is classified in the revenue records as Government Poramboke water channel and path way.

For Petitioner : Mr.N.Rahamadullah

For Respondents 1 to 3 : Mr.M.Govindan,
Special Government Pleader.

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 1 to 3 to remove encroachments which are in existence in Survey No.436, Pattur Village, Melur Taluk, Madurai District, by way of issuing a writ of mandamus.

2.It is averred in the petition that the petitioner is a resident of Pattur Village, wherein Survey No.436 has been classified as an Oodai and also a cart track, in which certain encroachments are in existence. Under the said circumstances, the present writ petition has been filed for getting the relief sought therein.



3.It is seen from the revenue records that Survey No.436 has been classified as an Oodai and also a cart track.

4.Considering the classification of Survey No.436, this Court is inclined to pass the following order.

5.In fine, this writ petition is allowed without costs and the respondents 1 to 3 are directed to remove encroachments which are in existence in Survey No.436, Pattur Village, Melur Taluk, Madurai District under due process of law within a period of two months.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai Collector Office,
Madurai.

2.The Tahsildar,
Melur Taluk Office,
Melur, Madurai District.

3.The Village Administrative Officer,
Pattur Village, Melur Taluk,
Madurai District.

+1cc to special Government Pleader, Sr No.6610

smn
ms/rsk/sar3/8.2.2017/2p.5c

ORDER MADE IN
W.P (MD) No.1613 of 2017
06.02.2017