

**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.1712 of 2017**

K.M.Kamatchi

: Petitioner

Vs.

1. The District Collector,
District Collector Campus,
Ramanathapuram District.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Ramanathapuram District.
3. The Tahsildar,
Taluk Office,
Ramanathapuram,
Ramanathapuram District.
4. P.Ravichandran
5. R.Komathi
6. The Block Development Officer cum Commissioner,
Mandapam Panchayat Union,
Having office at Uchipuli,
Ramanathapuram District.

(R6 is impleaded vide Court order dated
03.02.2017 in W.M.P. (MD) No.1546 of 2017)

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second and third respondents to remove the encroachments made in the road situated in Survey No.388/13A, Pattanamkathan Village, Ramanathapuram Taluk, Ramanathapuram District within a time frame as fixed by this Hon'ble Court.

For Petitioner : Mr.R.Karunanidhi

For Respondents 1 to 3 : Mr.M.Govindan
Special Government Pleader.For Respondent No.4 : Mr.V.Siddharanandas,
For Mr.V.Senthil

For Respondents 5 & 6 : No Appearance

Advocate Commissioner : Mr.A.Vigneshwar

**O R D E R***********

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

The petitioner filed this Writ Petition for issuing a Writ of Mandamus, directing the second and third respondents to remove the encroachment stated to have been made by the fourth and fifth respondents in respect of the land in Survey No.388/13A, Pattanamkathan Village, Ramanathapuram Taluk, Ramanathapuram District.

2. This Court appointed Advocate Commissioner to measure the property in question and submit a report. The report submitted by the Advocate Commissioner indicates that there is an act of encroachment at the instance of the fourth and fifth respondents.

3. The third respondent is the authority to consider the question as to whether the fourth and fifth respondents are really the encroachers and as to whether action should be taken to remove the encroachment.

4. We direct the third respondent to measure the property in the light of the Survey records and thereafter, consider and dispose of the representation submitted by the petitioner dated 09 January, 2017, on merits and as per law, with notice to the fourth and fifth respondents. Such exercise shall be completed, within a period of three months from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above direction. No costs.

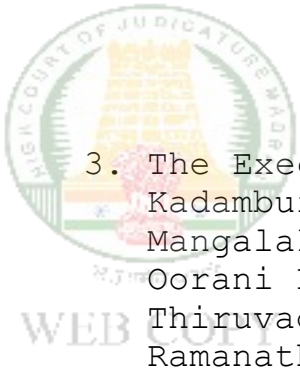
Sd/-
Assistant Registrar

/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 Spl.Government Pleader Sr.No.65581
+1cc to Mr.R.Karunanidhi, Advocate Sr.No.64898
+1cc to Mr.D.Senthil, Advocate Sr.No.64777

SML/MR

VB/SKN/RSK/SAR3/17.07.2017/3P/7C

**Order made in
W.P. [MD] .No.1712 of 2017
12.07.2017**