



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 30.08.2017

CORAM:

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

W.P (MD) No.12480 of 2016

N.Ramanathan

... Petitioner

Vs.

- 1.The Revenue Divisional Officer,
Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.
- 3.The Deputy Inspector of Survey,
Thiruvadanai,
Ramanathapuram District.
- 4.The President,
Koodalur Panchayat,
Thiruvadanai Taluk,
Ramanathapuram District.
5. The Tahsildar,
Thiruvadanai,
Ramanathapuram District.

... Respondents

(R5 suo motu impleaded vide order
dated 30.08.2017)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Divisional Level Committee headed by the Revenue Divisional Officer, Ramanathapuram to consider the petitioner's appeal dated 16.04.2016 regarding eviction of encroachment in S.No.304/2 (Water course) of Koodalur Group Village, Thiruvadanai Taluk, Ramanathapuram District in the light of G.O.(Ms)No.540 Revenue Department dated 04.12.2014 within a specified time frame that may be fixed by this Court.

For Petitioner

: Mr.S.Visvalingam

<https://hcservices.ecourts.gov.in/hcservices/> For Respondents

: Mr.T.S.Mohammed Mohideen
Additional Government Pleader

O R D E R

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

The petitioner filed this writ petition to direct the committee constituted by the Government as per the order in G.O.Ms.No.540 of Revenue Department dated 04.12.2014 to consider the question of removal of encroachment.

2. The Tahsildar, Tiruvadanai, Ramanathapuram District, is *suo motu* impleaded as fifth respondent.

3. Though the prayer is to direct the Divisional Level Appellate Committee to consider the appeal and pass appropriate orders on merits, we are of the view that interest of justice would be sub-served, in case a direction is issued to the jurisdictional Tahsildar to take up the issue.

5. We, therefore, give liberty to the petitioner to submit a comprehensive representation to the jurisdictional Tahsildar. The jurisdictional Tahsildar is directed to consider the representation and pass appropriate orders after issuing notice to the encroachers. Such exercise shall be completed within a period of twelve weeks from the date of receipt of representation.

6. The Writ Petition is disposed of with the above direction. No Costs.

Sd/-

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Ramanathapuram.
2. The Deputy Superintendent of Police,
Thiruvadanai,
Ramanathapuram District.
3. The Deputy Inspector of Survey,
Thiruvadanai,
Ramanathapuram District.
4. The Tahsildar,
Thiruvadanai,
Ramanathapuram District.

+1cc to Mr.S.VISVALINGAM, Advocate, SR.75334

+1cc to M/S. The Special Government Pleader, SR.76019

W.P(MD) No.12480 of 2016

30.08.2017