



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM

and

THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.2355 of 2017

Rajangam

.. Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Thasildhar,
Thiruppathur Taluk,
Sivagangai District.

3.Lakshmanan

.. 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 first respondent to dispose of the petitioner's representation dated 13.07.2016 to remove the encroachment made by the third respondent in the Government Oorani Promboke land situated in Survey No.217/2 of Kirungakottai Village Group, Thiruppathur Taluk, Sivagangai District.

For Petitioner

: Mr.V.Kannan

For Respondents 1 and 2

: Mr.D.Muruganandam,
Additional 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 and 2 to remove encroachments alleged to have been made by the third respondent in Survey No.217/2, Kirungakottai Village Group, Thiruppathur Taluk, Sivagangai District, by way of issuing a writ of mandamus.

2.Mr.D.Muruganandam, learned Additional Government Pleader, has taken notice for the respondents 1 and 2. Considering the nature of the relief sought in the writ petition and also classification of Survey No.217/2, notice need not be sent to the third respondent.



3.It is seen from the 'A' Register that Survey No.217/2 has been classified as a tank. Since Survey No.217/2 has been classified as a tank, the second respondent can be directed as mentioned below.

4.In fine, this writ petition is allowed without costs and the second respondent viz., Tahsildar, Thiruppathur Taluk, Sivagangai District, is strictly directed to remove encroachments which are in existence in Survey No.217/2, Kirungakottai Village Group, Thiruppathur Taluk, Sivagangai District, under due process of law within a period of two months.

Sd/-

Assistant Registrar(P & A)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Thasildhar,
Thiruppathur Taluk,
Sivagangai District.

+1cc to Special Government Pleader in SR. No.8048

+1cc to M/S.V.KANNAN, ADVOCATE SR.No.8233

js/pm/AN/14.02.2017/2p-5c

ORDER MADE IN
W.P (MD) No.2355 of 2017
13.02.2017