



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM  
and  
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.2491 of 2017

Rasu @ Karuthandi Poosari .. Petitioner

Vs.

1.The District Collector,  
Collectorate, Trichy District.

2.The Tahsildar,  
Manapparai Taluk,  
Manapparai, Trichy District.

3.The Block Development Officer (Village Panchayats),  
Manapparai Panchayat Union,  
Manapparai, Trichy District.

4.V.Rengasamy

5.Shanmugam

6.Chinnu

7.P.Rengasamy

8.Pandiselvan

9.Srirangan .. 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 No.1 to 3 to evict the encroachment made by the respondents No.4 to 9 in the 'Oorani' situated at Trichy District, Manapparai Taluk, F.Keezhaiyur Village in S.F.No.57 by considering the petitioner's representation dated 20.02.2016 within the time frame as fixed by this Court.

For Petitioner

: Mr.S.Karthick Subramanian

For Respondents 1 and 2

: Mr.D.Muruganandam,  
Additional Government Pleader.



For Respondent No.3

: Mr.N.S.Karthikeyan,  
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 to 3 to remove encroachments which are in existence in S.F.No.57 classified as Oorani in F.Keezhaiyur Village, Manapparai Taluk, Tiruchirappalli 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 and Mr.N.S.Karthikeyan, learned Additional Government Pleader, has taken notice for the third respondent. Considering the nature of the relief sought in the writ petition and also considering the classification of S.F.No.57, notice need not be sent to the remaining respondents.

3.The main contention putforth on the side of the petitioner is that in F.Keezhaiyur Village, S.F.No.57 has been classified as Oorani and the remaining respondents have made certain encroachments. Under the said circumstances, a representation has been given on 20.02.2016, but the same has not been considered. Therefore, the present writ petition has been filed.

4.In fact this Court has verified the concerned 'A' Register wherein it has been clinchingly mentioned to the effect that S.F.No.57 is nothing, but Oorani.

5.Since S.F.No.57 is nothing, but Oorani and since the contention putforth on the side of the petitioner is that the remaining respondents have made certain encroachments in it, this Court is inclined to pass the following order.

6.In fine, this writ petition is allowed without costs and the third respondent viz., Block Development Officer (Village Panchayats), Manapparai Panchayat Union, Tiruchirappalli District is strictly directed to remove all encroachments which are in existence in S.F.No.57, F.Keezhaiyur Village under due process of law within a period of two months.

Sd/  
Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector,  
Collectorate, Trichy District.

<https://hcservicescourts.in/hcservices/>

2.The Taluk Officer,  
Manapparai Taluk,  
Manapparai, Trichy District.



3.The Block Development Officer (Village Panchayats),  
Manapparai Panchayat Union,  
Manapparai, Trichy District.

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+1CC to M/S.S.Karthick Subramanian, Advocate, SR.No. 8309

ORDER MADE IN  
W.P (MD) No.2491 of 2017

smn

AM/RSK/SAR-1/17.02.2017/3P/5C (IT)