



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE **A.SELVAM**

and

THE HONOURABLE MR.JUSTICE **N.AUTHINATHAN**

W.P (MD) No.3228 of 2017

Charles

.. Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Revenue Divisional Officer,
Ramanathapuram.

3.The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.

.. 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 to remove the encroachment made in Survey Nos.209/6, 210/3 and 210/4, Sambai Village, Kanattangudi Group, Thiruvadanai Taluk, Ramanathapuram District based on the petitioner's representation dated 28.03.2016 as expeditiously as possible particularly within the time stipulated as prescribed by this Court.

For Petitioner : Mr.R.Anand

For Respondents : Mr.K.Guru,

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 to remove encroachments which are in existence in Survey Nos.209/6, 210/3 and 210/4, Sambai Village, Kanattangudi Group, Thiruvadanai Taluk, Ramanathapuram District, by way of issuing a Writ of Mandamus.

2.The learned counsel appearing for the petitioner has contended to the effect that the survey numbers mentioned in the petition are classified as a tank, but pattas have been issued erroneously. Under the said circumstances, a representation dated 28.03.2016 has been given, but the same has not been considered.



3.The learned Additional Government Pleader appearing for the respondents has represented that the survey numbers mentioned in the petition are nothing but patta lands and therefore question of removing encroachments does not arise.

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4.It is seen from the records that on 28.03.2016 a representation has been given, but the same has not been considered. Under the said circumstances, this Court is inclined to pass the following order.

5.In fine, this Writ Petition is allowed in part without costs and the third respondent is directed to look into the representation dated 28.03.2016 and dispose of the same within a period of two months.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Revenue Divisional Officer,
Ramanathapuram.
- 3.The Tahsildar,
Thiruvadanai Taluk,
Ramanathapuram District.

+1cc to Special Government Pleader, SR.No.19312
+1 cc to Mr.R.Anand, Advocate, Sr.No.50356

ORDER MADE IN
W.P (MD) No.3228 of 2017
03.04.2017

JM/KP/SAR 4/06.04.2017/2P/6C