



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.04.2017
CORAM

THE HON'BLE MR.JUSTICE A.SELVAM
and
THE HON'BLE MR.JUSTICE N.AUTHINATHAN

W.P(MD) No.3816 of 2017

Chandrasekar

... Petitioner

-vs-

1.The District Collector,
Tiruchirappalli District, Tiruchirappalli.

2.The Regional Director of Municipalities,
No.1, AYA Nadarsalai, Near Kdimarathu Moolai,
Thanjavur-613 008.

3.The Municipal Commissioner,
Manapparai Municipality,
Tiruchirappalli District.

4.The Tahsildar Taluk Office,
Manapparai, Tiruchirappalli District

5.The Divisional Engineer,
Public Works Department,
Manapparai, Tiruchirappalli District

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate writ or order or direction directing the respondents to remove the encroachments made in survey No.684/ 1 of Sevalur Village, Manapparai Taluk, Tiruchirappalli District and maintain the Appu Iyer Kulam, Karikkankulam, Vagaikulam, Athikulam, Moorekulam, Muniappan Kulam located within the Municipal limits of Mananpparai Municipality as clean and free from encroachments based on the petitioner's representations dated 18.06.2015, 14.12.2015 and 27.06.2016.

For Petitioner : M/s. I.Dinesh Deepa

For RR - 2,4 & 5 : Mr.K.Guru
Additional Government Pleader

For R3 : Mr.J.Lawrance

**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 the encroachments which are in existence in survey No.684/ 1 of Sevalur Village, Manapparai Taluk, Tiruchirappalli District and also to maintain the Appu Iyer Kulam, Karikkankulam, Vagaikulam, Athikulam, Moorekulam, Muniappan Kulam located within the Municipal limits of Mananpparai Municipality as clean and free from encroachments, based on the petitioner's representations dated 18.06.2015, 14.12.2015 and 27.06.2016.

2.The learned counsel appearing for the petitioner has contended to the effect that Survey No.684/1 has been classified as Kulam and the same belongs to Government, wherein certain encroachments are in existence and for the purpose of removing the same, three representations have been given, but the same have not been considered by the authorities and therefore, the present Writ Petition has been filed.

3.The learned Additional Government Pleader appearing for the respondents 2, 4 and 5 has contended to the effect that Survey No.684/ 1 has been classified as Appu Iyer Kulam.

4.The main contention put forth on the side of the petitioner is that there are so many encroachments in Survey No. 684/1.

5.As adverted to earlier, the petitioner has given three representations, but the same have not been considered and therefore, this Court is inclined to pass the following order.

"In fine, this Writ petition is allowed without cost. The respondents 4 and 5 are directed to conduct proper survey in respect of Survey No.684/1 of Sevalur Village, Manapparai Taluk, Tiruchirappalli District and if there is any encroachment, directed to remove the same under due process of law within a period of two months and also directed to maintain the Kulams mentioned in the Writ Petition."

Sd/-

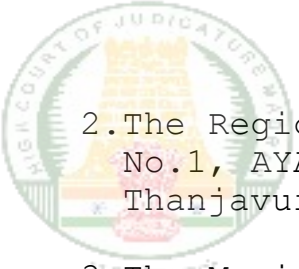
Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar

To

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Manapparai, Tiruchirappalli District

5.The Divisional Engineer,
Public Works Department,
Manapparai, Tiruchirappalli District.

+1 CC to M/s.J.LAWRANCE, Advocate, SR No. 55063.

+1 CC to M/s.I.DINESH DEEPA, Advocate, SR No. 54954

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 55386

MJ

PSM/SV/08.05.2017/3P/9C

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