



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **16.03.2017**

CORAM:

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

and

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

W.P (MD) No.4448 of 2017

S.Muthuselvan

.. Petitioner

Vs.

- 1.The District Collector,
The District Collectorate Office,
Tuticorin, Tuticorin District.
- 2.The Deputy Superintendent of Police,
Srivaikundam Taluk, Tuticorin,
Tuticorin District.
- 3.The Tahsildar,
Srivaikundam Tahsildar Office,
Tuticorin, Tuticorin District.
- 4.The Executive Officer,
Srivaikundam Panchayat Union,
Tuticorin, Tuticorin 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 encroachments made in Survey No.859/A2 at Veeran Sundaralingam Nagar in Srivaikundam Taluk at Tuticorin District in light of the proceeding of the fourth respondent in reference No.T3/1105/2015 dated 19.06.2015 by considering the petitioner's representation dated 29.12.2016 within the time that may be stipulated by this Court.

For Petitioner

: Mr.P.Kanagaraj

For Respondents 1 to 3

: 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 alleged to have been made in Survey No.859/A2, Veeran Sundaralingam Nagar, Srivaikundam Taluk, Tuticorin District, on the basis of the proceeding taken by the fourth respondent on 19.06.2015, by way of issuing a writ of mandamus.



2.Mr.K.Guru, learned Additional Government Pleader, has taken notice for the respondents 1 to 3. Considering the nature of the relief sought in the writ petition, notice need not be sent to the fourth respondent.

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3.It is seen from the records that on 19.06.2015, the fourth respondent has issued a proceeding, wherein it is stated that the persons mentioned therein have encroached a portion of land comprised in Survey No.859/A2, Veeran Sundaralingam Nagar, Srivaikundam Taluk, Tuticorin District.

4.Considering the fact that already the fourth respondent has taken eviction proceedings, this Court is inclined to pass the following order.

5.In fine, this writ petition is allowed in part without costs and the fourth respondent is directed to expedite eviction proceedings on the basis of proceeding dated 19.06.2015 within a period of two months.

SD/-
ASSISTANT REGISTRAR(C)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

- 1.The District Collector,
The District Collectorate Office,
Tuticorin, Tuticorin District.
- 2.The Deputy Superintendent of Police,
Srivaikundam Taluk, Tuticorin,
Tuticorin District.
- 3.The Tahsildar,
Srivaikundam Tahsildar Office,
Tuticorin, Tuticorin District.
- 4.The Executive Officer,
Srivaikundam Panchayat Union,
Tuticorin, Tuticorin District.

+1 CC TO MR.B.BASKAR,ADVOCATE,SR NO.15150
+1 CC TO SPECIAL GOVERNMENT PLEADER NO.15502
smn
MAS/RR:28.03.2017:2P-7C

ORDER MADE IN
W.P(MD)No.4448 of 2017
16.03.2017