



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2017

CORAM:

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

and

THE HONOURABLE **MR.JUSTICE P.KALAIYARASAN**

W.P (MD) No.53 of 2017

P.Sikkammal

.. Petitioner

Vs.

1.The District Collector,
Dindigul District, Dindigul.

2.The District Revenue Officer,
Dindigul District, Dindigul.

3.The Revenue Divisional Officer,
Dindigul.

4.The Tahsildar,
Nilakkottai Taluk,
Nilakkottai, Dindigul District.

5.The Village Administrative Office,
Pallapatti Village, Pallapatti,
Nilakkottai Taluk,
Dindigul District.

6.Ammasi Thevar

7.A.Rajakumar

8.A.Vijayakumar

9.A.Paneer Selvam

10.Bose

.. 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 1 to 5 to remove the encroachment made by the respondents 6 to 10 in Survey Nos.194/2 and 196/1 situate in Pallapatti Village, Nilakkottai Taluk, Dindigul District.

For Petitioner

: Mr.K.Guhan

For Respondents 1 to 5

: Mr.R.Velmurugan,
Government Advocate.

**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 5 to remove encroachments alleged to have been made in Survey Nos.194/2 and 196/1, Pallapatti Village, Nilakkottai Taluk, Dindigul District, by way of issuing a writ of mandamus.

2.It is averred in the petition that the petitioner is a resident of Pallapatti Village, wherein Survey Nos.194/2 and 196/1 have been classified as cart tracks. But the respondents 6 to 10 have made certain encroachments and therefore the present writ petition has been filed for getting the relief sought therein.

3.Mr.R.Velmurugan, learned Government Advocate, has taken notice for the respondents 1 to 5. Considering the nature of the relief sought in the writ petition and also considering the classification of survey numbers mentioned therein, notice need not be sent to the respondents 6 to 10.

4.It is seen from the records that both survey numbers mentioned in the petition have been classified as cart tracks. The main allegation made on the side of the petitioner is that the respondents 6 to 10 have made certain encroachments in Survey Nos.194/2 and 196/1.

5.Considering the allegation made in the petition and also considering the fact that both survey numbers have been classified as cart tracks, this Court is of the view to allow the present writ petition.

6.In fine, this writ petition is allowed without costs and the respondents 1 to 5 are strictly directed to remove encroachments made in Survey Nos.194/2 and 196/1 by the respondents 6 to 10 after giving proper opportunities within a period of two months.

Sd/-

Assistant Registrar(CS II)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Dindigul District, Dindigul.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The District Revenue Officer,
Dindigul District, Dindigul.



3.The Revenue Divisional Officer,
Dindigul.

4.The Tahsildar,
Nilakkottai Taluk,
Nilakkottai, Dindigul District.

5.The Village Administrative Office,
Pallapatti Village, Pallapatti,
Nilakkottai Taluk,
Dindigul District.

+1cc to Mr.K.Guhan Advocate SR No 535

+1cc to Special Government Pleader SR No 817

smn

ms/em/jmp/18.01.2017/3p.8c

ORDER MADE IN
W.P (MD) No.53 of 2017
04.01.2017