



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2017

CORAM

THE HON'BLE MR.JUSTICE A.SELVAM

and

THE HON'BLE MR.JUSTICE P.KALAIYARASAN

W.P(MD) No.559 of 2017

P.Murugesan

... Petitioner

-vs-

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Kalaiyarkovil Taluk,
Sivagangai District.

3.Gunasekaran

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondents 1 & 2 to consider the representation of the petitioner dated 18.07.2016 to remove the encroachment made by the third respondent in Survey No.203/5 situated at Periya Kiluvachi, Kalaiyarkovil Taluk, Sivagangai District within a time as may be fixed by this Court.

For Petitioner : Mr.V.Sasikumar

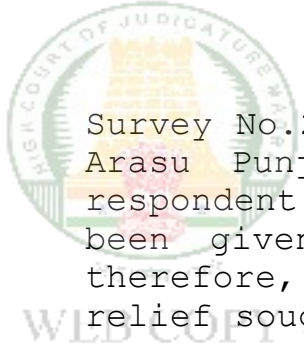
For RR - 1 & 2 : Mr.D.Muruganandam
Additional Government Pleader

O R D E R

[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 and 2 to remove encroachments alleged to have been made by the third respondent on the basis of the representation dated 18.07.2016 by way of issuing a Writ of Mandamus.

<https://hcservices.ecourts.gov.in/hcservices/> averred in the petition that the petitioner is a resident of Periya Kiluvachi Village, Kalaiyarkovil Taluk, Sivagangai district. Further it is averred in the petition that



Survey No.203/5 in Periya Kiluvachi Village has been classified as Arasu Punjai and the same has been encroached by the third respondent. Under the said circumstances, a representation has been given on 18.07.2016. But no action has been taken and therefore, the present Petition has been filed for getting the relief sought therein.

3.Mr.D.Muruganandam, learned Additional Government Pleader has taken notice for the respondents 1 and 2.

4.Even though on the side of the petitioner it has been specifically mentioned that Survey No.203/5 in Periya Kiluvachi Village has been classified as Arasu Punjai, no relevant/trustworthy document has been submitted. Under the said circumstances, this Court is inclined to pass the following order.

5.In fine, this Writ Petition is allowed in part without cost. The second respondent is strictly directed to look into the representation dated 18.07.2016 and dispose of the same within a period of one month after giving due notice to the persons concerned.

Sd/-
Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Kalaiyarkovil Taluk,
Sivagangai District.

+1cc to Mr.A.Mohan, Advocate SR.No.2094
+1cc to special Government Pleader SR.No.2537

mj
sm:SS2-KSM:24/01/2017:2P/5C

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11.01.2017