



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.06.2017
CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.6233 of 2017

Mohamed Abdul Vahab .. Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The Block Development Officer,
Bogalur Union Office,
Ramanathapuram District.

3.The Thasildar,
Paramakudi Taluk Office,
Ramanathapuram District.

4.The Executive Officer,
Bogalur Village Panchayat,
Paramakudi 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 encroachments made in the bank of Periya Orani otherwise called Mangaleswari Orani situated at Bogalur Village in Survey No.227/1 upon the communication letter directed by the third respondent to the second respondent vide Na.Ka.A3/16578/2016 dated 09.12.2016 within a time limit as stipulated by this Court.

For Petitioner : Mr.R.Venkateswaran

For Respondents 1 and 3 : Mr.K.Guru,
Additional Government Pleader.

For Respondents 2 and 4 : No appearance

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 No.227/1 which has been classified as Oorani in Bogalur Village, by way of issuing a writ of mandamus.

2.The learned counsel appearing for the petitioner has argued to the effect that in Bogalur Village, Survey No.227/1 has been classified as a tank and so many encroachments are in existence and under the said circumstances, the present writ petition has been filed for getting the relief sought therein.

3.The learned Additional Government Pleader appearing for the respondents 1 and 3 has also conceded to the effect that Survey No.227/1, Bogalur Village has been classified as an Oorani.

4.Considering the fact that Survey No.227/1 has been classified as a tank and also considering the contention putforth on the side of the petitioner, this Court is inclined to pass the following order.

5.In fine, this writ petition is allowed without costs and the second respondent is directed to conduct proper survey in respect of Survey No.227/1, Bogalur Village and if there is any encroachment, directed to remove the same under due process of law within a period of two months.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector, Ramanathapuram District.

2.The Block Development Officer,

Bogalur Union Office, Ramanathapuram District.

3.The Thasildar, Paramakudi Taluk Office,

Ramanathapuram District.

4.The Executive Officer, Bogalur Village Panchayat,

Paramakudi Taluk, Ramanathapuram District.

+One cc to Mr.R.Venkateswaran, Advocate, SR.No.61269

smn

RL/6C/2P/KP/SAR1/4/7/2017