



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **07.07.2017**

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
W.P.(MD)No.6975 of 2017

P.Murugan .. Petitioner
Vs.

1.The District Collector,
District Collectorate Office,
Tirunelveli.

2.The District Revenue Officer,
Tirunelveli, Tirunelveli District.

3.The Revenue Divisional Officer,
Tenkasi Division, Tirunelveli District.

4.The Tahsildar,
Tahsildar Office, Alangulam,
Alangulam, Tirunelveli District.

5.The Executive Officer,
Alangulam Town Panchayat, Tirunelveli District.

6.Chellamani Nadar

7.Thangamani Nadar

8.Devadass Nadar

9.Suvisesamuthu

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to take necessary action based on Na.Ka.No.A2/2230/2012, dated 17.01.2017 of the fourth respondent and remove the encroachment in S.Nos.289/1, 290, 291 of Alangulam and construct the remaining road.

For petitioner : Mr.D.Selvaraj

For respondents 1to5 : Mr.M.Govindan

Special Government Pleader

For Respondent No.9 : Mr.A.Balamani

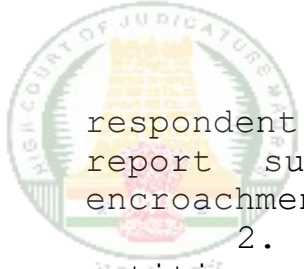
For Mr.S.Muthukrishnan

For Respondents 6 to8 : No Appearance

O R D E R

<https://hcservices.ecourts.gov.in/Onscren/> of the Court was made by **K.K.SASIDHARAN, J.]**

The petitioner filed this Writ Petition to direct the first



respondent to take appropriate action, on the strength of the report submitted by the fourth respondent and remove the encroachment put up by the respondents 6 to 9.

2. We have heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 to 5 and the learned counsel appearing for the ninth respondent.

3. We direct the fourth respondent to consider and dispose of the representation submitted by the petitioner dated 30.01.2017, on merits and as per law, after issuing notice to the respondents 6 to 9. We make it clear that notwithstanding the proceedings dated 17.01.2017, on the file of the Tahsildar, Alangulam, Tirunelveli District, the fourth respondent herein, he shall issue fresh notice to the alleged encroachers and thereafter, decide the issue on merits and as per law. We also make it clear that the pendency of the Civil Suit before the Civil Court would not stand in the way of the Tahsildar from taking action for removal of the encroachment. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of with the above direction. No costs.

Sd /-
ASSISTANT REGISTRAR

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To:

- 1.The District Collector,
District Collector Office,Tirunelveli.
- 2.The District Revenue Officer,
Tirunelveli, Tirunelveli District.
- 3.The Revenue Divisional Officer,
Tenkasi Division, Tirunelveli District.
- 4.The Tahsildar,
Tahsildar Office, Alangulam,Alangulam, Tirunelveli District.
- 5.The Executive Officer,
Alangulam Town Panchayat, Tirunelveli District.

+1 CC TO MR.D.SELVARAJ, ADVOCATE,SR NO.63928
+1 CC TO MR.S.MUTHU KRISHNAN, ADVOCATE, SR NO.63919
+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.64467

NB
MAS/MR-KKR/SAR1:17.07.2017:2P-9C

ORDER MADE IN
W.P. (MD) No.6975 of 2017
07.07.2017