



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.01.2017

CORAM

THE HON'BLE MR.JUSTICE A.SELVAM

and

THE HON'BLE MR.JUSTICE P.KALAIYARASANW.P(MD) No.725 of 2017

G.Senthilkumar

... Petitioner

-vs-

1.The District Collector,
Sivagangai Collectorate,
Sivagangai.

2.The Tahsildar,
Sivagangai Taluk Office,
Sivagangai District.

3.Panchu

4.The President,
Village Panchayar,
Kottakudi Keelpathi,
Sivagangai - 630 561.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the second respondent to consider the representation dated 09.09.2015 to the second respondent to remove the encroachment connection with the Na.Ka.No.B814395/15 dated 03.10.2015 in survey No.90/4 in Kottakudi Village, Sivagangai Post, Sivagangai Taluk and District by the third respondent.

For Petitioner
For RR - 1 and 2

: Mr.M.Vivekanandan
: Mr.D.Muruganantham
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 the encroachments alleged to have been made in S.No.90/4 in Kottakudi Village, Sivagangai Taluk and District, by way of issuing a writ of mandamus.



2.It is averred in the petition that the petitioner is a resident of Kottakudi Village, wherein, Survey No.90/4 has been classified as Government Punja. The third respondent has encroached a portion of the same. But, the second respondent, who is the Tahsildar, Sivagangai has not taken steps to remove the encroachments and therefore, the present writ petition has been filed for getting the relief sought therein.

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

4.Considering the nature of the relief sought in the writ petition and also nature of classification of S.No.90/4, notice need not be sent to respondents 3 and 4.

5.It is seen from the records that in Kottakudi village, S.No.90/4 has been classified as Government Punja land. Further, it is seen from the records that in S.No.90/4, certain encroachments are in existence.

6.Considering the above facts and circumstances, the following order can be passed:

In fine, this petition is allowed without cost. The second respondent viz., the Tahsildar, Sivagangai Taluk is directed to take appropriate action for removing the encroachments alleged to have been made in S.No.90/4, Kottakudi village under due process of law, within a period of two months.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector, Sivagangai Collectorate,
Sivagangai.

2.The Tahsildar,
Sivagangai Taluk Office, Sivagangai District.

+1 cc to M/S.M.VIVEKANANDAN, Advocate SR.No.2762

+1 cc to Special Government Pleader SR.No.3049

W.P(MD) No.725 of 2017

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