



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2017

WEB COPY

CORAM:

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

W.P(MD)No.7387 of 2017

M.Rajamani

.. Petitioner

Vs.

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Assistant Director of Panchayats,
Tirunelveli District,
Tirunelveli.
3. The Executive Officer,
Panagudi Selection Grade Town Panchayat,
Tirunelveli District.
4. The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

5. Narayana Vadivu

.. 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 respondent Nos.1 to 4 to remove the encroachment made in Odai Poramboke in Survey No.1753/1B, Panagudi Village (Part II), Radhapuram Taluk, Tirunelveli District by considering the petitioner's representation dated 08.03.2017.

For Petitioner	: Mr.A.Kesavan
For RR 1, 2 & 4	: Mr.K.Guru, Additional Government Pleader.
For R - 3	: Mr.C.Selvaraj, Special Government Pleader.

**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 4 to remove encroachments which are in existence in Survey No.1753/1B, Panagudi Village (Part II), Radhapuram Taluk, Tirunelveli District, by way of issuing a Writ of Mandamus.

2.Mr.K.Guru, learned Additional Government Pleader has taken notice for the respondents 1, 2 & 4. Mr.C.Selvaraj, learned Special Government Pleader has taken notice for the third respondent. Considering the nature of the relief sought in the Writ Petition and also classification of Survey No.1753/1B, notice need not be sent to the fifth respondent.

3.It is seen from the revenue records that Survey No.1753/1B, Panagudi Village has been classified as an Oodai.

4.The main contention putforth on the side of the petitioner that the fifth respondent has encroached the same.

5.Considering the classification of Survey No.1753/1B and also considering the fact that already a representation has been given on 08.03.2017 and no action has been taken, this Court is inclined to pass the following order.

6.In fine, this Writ Petition is allowed without costs and the respondents 1 to 3 are directed to conduct proper survey in respect of Survey No.1753/1B, Panagudi Village (Part II), Radhapuram Taluk, Tirunelveli District, with reference to revenue documents and if there is any encroachment made by the fifth respondent directed to remove the same under process of law within a period of two months.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tirunelveli District,



2. The Assistant Director of Panchayats,
Tirunelveli District,
Tirunelveli.

3. The Executive Officer,
Panagudi Selection Grade Town Panchayat,
Tirunelveli District.

4. The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

+ 1 CC TO Mr.A.KESAVAN, ADVOCATE IN SR No. 53205

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 53559

PS

TE/MR/SAR-IV : 27/04/2017 : 3P/7C

ORDER MADE IN
W.P (MD) No.7387 of 2017
21.04.2017