



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.25096 of 2016

Ambrose

.. Petitioner

Vs.

1.The District Collector cum Chairman,
Steering Committee,
Sivagangai District.

2.The District Revenue Officer,
Sivagangai District, Sivagangai.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivagangai, Sivagangai District.

4.The Tahsildar,
Kalaiyarkovil Taluk Office,
Sivagangai 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 fourth respondent to remove the encroachment in Survey No.115, Mayana Promoke (Burial Ground) situated at Andoorani Village, Purasadi Udaippu of Revenue Group, Kalaiyarkovil Taluk, Sivagangai District by virtue of the letter dated 03.12.2015 by the second respondent by the stipulated time fixed by this Court.

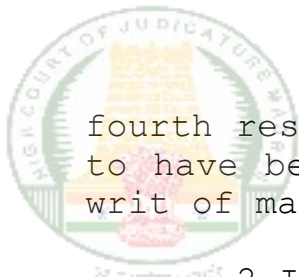
For Petitioner : Mr.M.Ramu

For Respondents : Mr.R.Velmurugan,
Government Advocate.

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 give necessary direction to the



fourth respondent to implement the letter dated 03.12.2015 alleged to have been given by the second respondent, by way of issuing a writ of mandamus.

2. It is averred in the petition that the petitioner is a resident of Andoorani Village, Kalaiyarkovil Taluk, Sivagangai District. Further it is averred in the petition that the second respondent viz., District Revenue Officer, Sivagangai District has given a letter dated 03.12.2015, wherein a specific direction has been given to the fourth respondent viz., Tahsildar, Kalaiyarkovil Taluk to remove the alleged encroachments. But the fourth respondent has not done anything and therefore the present writ petition has been filed for getting the relief sought therein.

3. Mr. R. Velmurugan, learned Government Advocate, has taken notice for the respondents.

4. The learned counsel appearing for the petitioner has contended that the second respondent has given necessary direction to the fourth respondent by way of sending the letter dated 03.12.2015 for the purpose of removing the alleged encroachments made in the place mentioned in the letter, but the fourth respondent has not done anything and therefore the present writ petition has been filed for getting the relief sought therein.

5. It is seen from the records that the second respondent viz., District Revenue Officer, Sivagangai District has specifically directed the fourth respondent to measure the land mentioned in the letter dated 03.12.2015 and remove encroachments.

6. The specific gravamen expressed on the side of the petitioner is that in pursuance of the letter dated 03.12.2015 the fourth respondent has not taken any steps.

7. Considering the fact that the second respondent has already given necessary direction to the fourth respondent by way of issuing a letter dated 03.12.2015 and also considering that the fourth respondent has not taken any steps, this Court is of the view to pass the following order.

8. In fine, this writ petition is allowed without costs and the fourth respondent is strictly directed to take appropriate action on the basis of the letter dated 03.12.2015 within a period of one month.

Sd/-

Assistant Registrar (P&A)



1.The District Collector cum Chairman,
Steering Committee,
Sivagangai District.

2.The District Revenue Officer,
Sivagangai District, Sivagangai.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivagangai, Sivagangai District.

4.The Tahsildar,
Kalaiyarkovil Taluk Office,
Sivagangai District.

+1CC to Mr.M.Ramu, Advocate Sr.No.78

+1CC to Spl.Government Pleader Sr.No.47

Gjm/KM/10.1.17-3p-7c

ORDER MADE IN
W.P (MD) No.25096 of 2016
02.01.2017