



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.07.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **K.K.SASIDHARAN**

AND

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. [MD] .No.12022 of 2013

and

M.P (MD) No.1 of 2013

Karuppiyah Pillai - Theivanai Ammal
Educational Trust through its
Founder - Managing Trustee
Dr.K.Mathavan

: Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.
2. The District Revenue Officer,
Madurai District,
Madurai.
3. The Revenue Divisional Officer,
Madurai Revenue District,
Madurai.
4. The Tahsildar,
Melur Taluk,
Melur,
Madurai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from resorting to removal of encroachments in S.No.391 part of an extent of 0.32.0 ares in Kidaripatti Village, Madurai District without due process of law.

For Petitioner

: Mr.S.Manikandan

For Respondents

: Mr.M.Govindan

Special Government Pleader

**O R D E R***********

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner filed this Writ Petition to restrain the respondents from evicting them without due process of law.

2. The petitioner is stated to be in possession and enjoyment of 0.32.0 ares of land in Kidaripatti Village, Madurai District. It is the apprehension of the petitioner that the respondents would evict them without initiating any proceedings as per law.

3. The counter-affidavit filed by the Tahsildar, Melur Taluk, indicates that the petitioner is in unauthorised occupation of Odai Poramboke.

4. The petitioner filed this Writ Petition on apprehension that the encroachment would be removed by the respondents. The Respondents made it clear that appropriate proceedings will be initiated as per law. In short, even if there is any encroachment, the same would be removed only by resorting to the provisions of the relevant Act.

5. The Writ Petition is disposed of with the above observations. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Madurai District, Madurai.
2. The District Revenue Officer,
Madurai District, Madurai.
3. The Revenue Divisional Officer,
Madurai Revenue District, Madurai.
4. The Tahsildar, Melur Taluk, Melur, Madurai District.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No. 65284
PM

PSM/SV/SAR2/25.07.2017/2P/6C