



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.07.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **K.K.SASIDHARAN**
AND
THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. [MD].No.13699 of 2013

M.Chokkalingam : Petitioner

Vs.

1. The Chief Secretary to the Government,
Government of Tamil Nadu,
St.George Fort,
Chennai-600 009.
2. The District Collector,
Dindigul District,
Dindigul.
3. The Executive Engineer,
Public Works Department,
Palani.
4. The Assistant Executive Engineer,
Public Works Department,
Irrigation Water Management,
Palani Sub Division, Palani.
5. The Municipal Commissioner,
Palani Municipality, Palani.
6. Uppiliyanthittu Kamarajar Nagar
Residents Welfare Association,
Represented by its Secretary,
Raju,
Palani.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachments made by the members of the sixth respondent Sangam at Vaiyuapuri Kanmai and Sirunayakkan kulam kanmai in Survey Nos.1203/1,1203/2 and 836 of Palani Village, Dindigul District, in the light of the order made in W.P.Nos.7440 and 7552 of 2009, Contempt Petition No.302 of 2009



dated 22.12.2009, subsequent order of Hon'ble Apex Court in S.L.P (Civil) No.16331 and S.L.P(Civil)No.21961 dated 10.12.2012.

For Petitioner : Mr.V.Gopalsamy

For Respondents 1to4 : 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 direct the respondents 1 to 5 to remove the encroachment made by the members of Uppiliyanthittu Kamarajar Nagar Residents Welfare Association, in respect of the land in Survey Nos.1203/1,1203/2 and 836 of Palani Village, Dindigul District, in the light of the order in W.P.(MD)Nos.7440 and 7552 of 2009 and Contempt Petition (MD) No.302 of 2009, dated 22.12.2009 and the related order passed by the Hon'ble Supreme Court in S.L.P (Civil) No.16331 of 2010 and S.L.P(Civil)No.21961 of 2010, dated 10 December, 2012.

2. The learned Special Government Pleader, on instructions, submitted that the respondents 2 to 4 are in the process of evicting the encroachers and they are awaiting police protection.

3. We direct the respondents 2 to 4 to complete the process of eviction, pursuant to the order referred to above, as expeditiously as possible and in any case, within a period of four months from the date of receipt of a copy of this order. We direct the Superintendent of Police, Dindigul District, to extend necessary assistance to the respondents 2 to 4 to execute the order passed by this Court, which was later confirmed by the Hon'ble Supreme Court.

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

Sd/-

Assistant Registrar(Crl side)

/True copy/

Sub Assistant Registrar

To

1. The Chief Secretary to the Government,
Government of Tamil Nadu,
Secy to Government,
Chennai-600 009.



2. The District Collector,
Dindigul District,
Dindigul.

3. The Executive Engineer,
Public Works Department,
Palani.

4. The Assistant Executive Engineer,
Public Works Department,
Irrigation Water Management,
Palani Sub Division, Palani.

5. The Municipal Commissioner,
Palani Municipality, Palani.

6. The Superintendent of Police,
Dindigul.

+1 cc to Mr.P.Srinivas , Advocate in SR.No. 64141

+1 cc to Special Government Pleader in SR.No.64422

SML/MYR

AE/MR KKR/SAR3/20.07.2017/3P/9C

**Order made in
W.P. [MD].No.13699 of 2013
Dated: 06.07.2017**