



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2017

CORAM:

WEB COPY

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

W.P.[MD].No.15105 of 2013

N.S.Ramasamy

: Petitioner

Vs.

1. The District Collector,
Dindigul.
2. The Revenue Divisional Officer,
Palani, Dindigul District.
3. The Tahsildar,
Oddanchatram Taluk,
Dindigul District.
4. The Block Development Officer,
Oddanchatram Panchayat Union,
Dindigul District.
5. The President,
Ambilikkai Village Panchayat,
Oddanchatram Union,
Dindigul District.
6. Palaniammal
7. Sunderrajan

: 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 implement the order dated 17.04.2013 by the first respondent and to completely remove the encroachment in S.No.785/33 in Ambilikkai Village, Oddanchatram Taluk, Dindigul District, within the time stipulated by this Court.

For Petitioner

: Mr.H.Lakshmi Shankar

For Respondents 1to5

: Mr.M.Govindan,
Special Government Pleader



O R D E R

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

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The petitioner submitted a representation to the District Collector requesting to remove the encroachment put up by the sixth and seventh respondents in respect of the land in Survey No.785/33 at Ambilikkai Village, Oddanchatram Taluk, Dindigul District. Before the District Collector, the encroachers agreed to remove the encroachment. It is the grievance of the petitioner that notwithstanding such undertaking, follow-up action was not taken by the sixth and seventh respondents to hand over the property to the Government. The petitioner is, therefore, before this Court.

2. We direct the Tahsildar, Oddanchatram Taluk, Dindigul District, to take appropriate action in the matter, taking into account the direction given by the District Collector dated 17 April, 2013. Even though direction was given by the District Collector to the Block Development Officer for removal of encroachment, we make the position clear that it is for the Tahsildar to remove the encroachment. Such exercise shall be completed, within a period of two months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul.
2. The Revenue Divisional Officer,
Palani, Dindigul District.
3. The Tahsildar,
Oddanchatram Taluk,
Dindigul District.
4. The Block Development Officer,
Oddanchatram Panchayat Union,
Dindigul District.



5. The President,
Ambilikkai Village Panchayat,
Oddanchatram Union,
Dindigul District.

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+ 1 CC TO Mr.H.LAKSHMI SHANKAR, ADVOCATE IN SR No. 63603
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 63986

SML

TE/JC/SAR-I : 13/07/2017 : 3P/8C

Order made in
W.P.[MD].No.15105 of 2013
Dated: 05.07.2017