



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.07.2017**

CORAM:

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

W.P. [MD] .No.2503 of 2013
and
M.P. (MD)No.1 of 2013

L.Sivantha Selvi

: Petitioner

Vs.

1. The District Collector,
Thoothukudi District,
Thoothukudi.
2. The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.
3. The Tahsildhar,
Sathankulam Taluk,
Thoothukudi District.
4. The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
- 5.S.Mahalingam Nadar

6.T.Chithiraivel

: 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 4 to remove the encroachment and hurdle made by the respondents 5 and 6 in Sr.No.1138 of Arasoor Village, Sathankulam Taluk, Thoothukudi District.

For Petitioner : Mr.P.Prakash

For Respondents 1to4 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

For Respondents 5&6 : Mr.G.Aravindan,
For Mr.N.Subramanikan

**O R D E R**

[Order of the Court was made by **G.R.SWAMINATHAN, J.**]

The writ petitioner complains of encroachment of Odai Poramboke by the fifth and sixth respondents herein.

2. The writ petitioner gave a representation dated 23.01.2013 in this regard to all the authorities concerned.

3. The learned Additional Government Pleader states that the subject survey number is a Odai Poramboke.

4. We direct the third respondent to enquire into the matter and if it is found that there is encroachment in Odai Poramboke, the same shall be removed after complying with due process of law. It is needless to state that the Tahsildar shall issue notice to the alleged encroachers and thereafter, take action on merits and as per law. The Tahsildar shall complete the entire exercise, within a period of three months from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl side)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Thoothukudi District, Thoothukudi.
2. The Revenue Divisional Officer,
Tiruchendur, Thoothukudi District.
3. The Tahsildhar,
Sathankulam Taluk, Thoothukudi District.
4. The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.

+1 cc to Mr.R.Balakrishnan , Advocate in SR.No. 67505

+1 cc to The Special Government Pleader in SR.No.67881

SML

AE/MR KKR/SAR2/04.08.2017/2P/7C