



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **04.07.2017**

CORAM:

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

W.P. (MD) No.4585 of 2013
and
M.P. (MD) .No.1 of 2013

M.Kuppathal : Petitioner

Vs.

1. The District Collector,
Collectorate,
Dindigul District.
2. The Superintendent of Police,
Dindigul District,
Dindigul.
3. The Revenue Divisional Officer,
Palani Sub Division,
Dindigul District.
4. The Tahsildar,
Palani Taluk,
Dindigul District.

5.N.Sakthivel : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent Nos. 1 to 4 to remove the illegal encroachment made by the fifth respondent in tank bearing Survey Nos.311, 312, 313, 314, 315 in Kattari Pillai @ Kanravuthan Kulam situated at Balasamuthiram Village, Palani Taluk, Dindigul District.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents 1 to 4 : 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 with an allegation that the fifth respondent encroached a portion of the property in Survey Nos.311 to 315 in Kattari Pillai @ Kanravuthan Kulam



situated at Balasamuthiram Village, Palani Taluk, Dindigul District.

2. The counter-affidavit filed by the Tahsildar, Palani Taluk, indicates that there is no such encroachment. The Tahsildar appears to have obtained a report from the Village Administrative Officer and filed the counter affidavit.

3. We direct the Tahsildar, Palani Taluk, to consider the representation submitted by the petitioner dated 14.08.2012, by inspecting the property in question personally with notice to the fifth respondent and thereafter, decide the issue on merits and as per law. Such exercise shall be completed, within a period of four months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(Co)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Collectorate,
Dindigul District.
2. The Superintendent of Police,
Dindigul District,
Dindigul.
3. The Revenue Divisional Officer,
Palani Sub Division,
Dindigul District.
4. The Tahsildar,
Palani Taluk,
Dindigul District.

+1 cc to Special Government Pleader in SR.No.63683

SML/tsg
AE/MR KKR/SAR3/13.07.2017/2P/6C

Order made in
W.P. (MD) No.4585 of 2013
Dated:
04.07.2017