

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.04.2018

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE P.RAJAMANICKAM

WP.No.9333/2018

P.Muniyan

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Petitioner

Versus

1.The District Collector  
Cuddalore District.

2.The Block Development Officer  
Block Development Office  
Mangaur.

3.The Tahsildar  
Veppur Taluk, Veppur.

4.The Village Administrative Officer  
Sirupakkam Village, Veppur Taluk  
Cuddalore District.

5.Thangavelu

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Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 5 to remove the encroachment put up by the 6<sup>th</sup> respondent and ensure that there will be no encroachment is made in S.No.511 classified as Odai in Sirupakkam Village, Veppur Taluk, Cuddalore District pursuant to the petitioner representation dated 12.03.2018.

For Petitioner : Mr.R.Thirumoorthy  
For R1 to R4 : Mr.A.N.Thambidurai, Spl.GP

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

By consent, the writ petition is taken up for final disposal. Mr.A.N.Thambidurai, learned Special Government Pleader accepts notice on behalf of the respondents 1 to 4.

**2** The petitioner claims to be a permanent resident of North Street, Sirupakkam Village, Veppur Taluk, Cuddalore District. The learned counsel for the petitioner on instructions, would submit that the petitioner has not encroached any public land. It is averred by the petitioner is his father owned agricultural lands admeasuring to an extent of 1 1/2 acres comprised in S.Nos.381/16A and 16B at Sirupakkam Village, Veppur Taluk, Cuddalore District and after his demise, the petitioner and his two brothers has succeeded to the said estate and joint patta has also been issued in their favour. It is further averred that a water course is located in S.No.511 of the said village and it has not been properly maintained and taking advantage of the same, the 5th respondent has illegally encroached upon a part of the said land and put up a thatched shed and the representations dated 28.02.2018 and 12.03.2018 respectively submitted

by the petitioner in this regard, did not invoke any kind of response and therefore, the petitioner came forward to file the present writ petition.

**3** The Court heard the submissions of the learned counsel for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the respondents 1 to 4 and perused the materials placed before it.

**4** Though the petitioner has prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in the representations or in this writ petition, directs the respondents 2 and 3 to cause a joint inspection of the land in S.No.511, Sirupakkam Village, Veppur Taluk, Cuddalore District, after putting the petitioner as well as the 5th respondent and other encroachers, if any, on notice and the said exercise is to be carried out within a period of four weeks from the date of receipt of a copy of this order and depending upon the result of the inspection, shall take appropriate action, in accordance with law, within a further period of ten weeks thereafter and communicate the decision taken, to the petitioner ; 5th respondent as well as to the other person/s concerned.

M.SATHYANARAYANAN, J.,  
AND  
P.RAJAMANICKAM, J.,  
AP

**5** The writ petition stands disposed of with the above direction.

No costs.

[MSNJ] [PRMJ]  
 19.04.2018

Internet : Yes

AP  
 To

- 1.The District Collector  
 Cuddalore District.
- 2.The Block Development Officer  
 Block Development Office  
 Mangaur.
- 3.The Tahsildar  
 Veppur Taluk, Veppur.
- 4.The Village Administrative Officer  
 Sirupakkam Village, Veppur Taluk  
 Cuddalore District.

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