

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2018

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.No.14025 of 2018

Durai Kalaiyarasan

...Petitioner

Vs.

1. The District Collector,
Ariyalur, Ariyalur District.
2. The District Revenue Officer,
Ariyalur, Ariyalur District.
3. The Revenue Divisional Officer,
Udayarpalayam,
Ariyalur District.
4. The Tahsildar,
Sendurai Taluk,
Ariyalur District.
5. M.Ashok Kumar
6. M.Singaram

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 4 to remove illegal encroachments made in S.Nos.264/3, 467/1, 242/1 and 163, Pillakurichi Madura, Veerakkan Village, Sendhurai Taluk, Ariyalur District and the encroachments abutting Nagalkuzhi Panchayat Road.

For Petitioner :Mr.G.Rajan

For Respondents :Mr.A.N.Thambidurai,
Special Government Pleader

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.

2. The petitioner claims to be the native of Veerakkan Village and owned cultivable lands and a house in the said Village and he has also completed his Master degree in law and also his fellowship in Company Secretary and he is interested in public welfare and well being of the residents of the Veerakkan Village. Grievance expressed by the petitioner is that the respondents 5 and 6, who are adjacent land owners, had caused encroachment in S.No.242/1, 467/1, 163 nad 164, Pillakurichi Madura, Veerakkan Village, Sendurai Taluk, Ariyalur District and in this regard repeated representations have been submitted by the petitioner to the concerned respondents to take appropriate action.

3. The learned counsel appearing for the petitioner would submit that despite participation of the petitioner in the said meeting, no worthwhile progress has been made and invited the attention of this Court to the proceedings of the 2nd respondent dated 18.12.2017 in Na.Ka.AA.No.1/6620/2017, wherein the 4th respondent has submitted a report as to the encroachment in both sides of the road in S.Nos.242/1, 467/1, 163 and 64 at Veerakkan Village and also ordered to cause removal of encroachment after survey and inspection and also directed the jurisdictional Deputy Superintendent of Police to extend the police aid to carryout the said exercise and despite lapse of nearly six months, nothing has done as to the removal of encroachment and hence came forward to file this writ petition.

4. Per contra, Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the respondents would submit that in the light of the communication of the 2nd respondent dated 18.12.2017, immediate and further action will be taken in accordance with law for removal of encroachment.

5. This Court has considered the rival submission and also perused the materials placed before it.

6. This Court has taken into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 4th respondent to act on the communication of the 2nd respondent dated 18.12.2017 in Na.Ka.AA.No.1/6620/2017 and take appropriate action in accordance with law to remove the encroachments in Veerakkan

Village, Sendhurai Taluk, Ariyalur District in S.Nos.264/3, 467/1, 242/1, 163 and 164, within a period of wight weeks from the date of receipt of copy of this order and communicate the decision taken, to the petitioner as to well as to the encroachers.

7. With the above direction, this writ petition stands disposed of. No costs. Consequently connected miscellaneous petitions are closed.

11. Call on 25.07.2018 for filing status report with supporting photographs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Sk

To

1. The District Collector,
Ariyalur, Ariyalur District.
2. The District Revenue Officer,
Ariyalur, Ariyalur District.
3. The Revenue Divisional Officer,
Udayarpalayam,
Ariyalur District.
4. The Tahsildar,
Sendurai Taluk,
Ariyalur District.

Copy To

1. The Deputy Superintendent of Police
Jeyamkondam, Ariyalur District.
2. The Section Officer,
Writ Section,
High Court Madras-104.

3. The Posting Clerk ,
Writ Section, High Court Madras-104.
(Post on 25/07/2018)

+1cc to Mr.G.Rajan, Advocate, S.R.No. 36157
+1cc to the Government Pleader, S.R.No. 37527

WP.No.14025 of 2018

KK(CO)
BM 28/06/2018



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