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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.10.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6193 of 2014
and
M.P.No.1 of 2014

V.P.Jayakumar ...Petitioner

vs

1.The Principal Secretary and Commissioner
Land Administration,
Chepauk,
Chennai - 600 005.

2.The District Revenue Officer,
Coimbatore.

3.The Revenue Divisional Officer,
Coimbatore.

4.Shri Varadharaja Perumal Thirukkoil
Thirupanni Committee, Rep.by its President,
P.Balasubramanian, Coimbatore - 641 111.
(R4-impleaded as per order dated 02.11.2017
In M.P.No.2/2014 in W.P.No.6193/2014)

5.Sri Karivaradaraja Perumal Thirukoil Thirupanikuzhu,
Rep.by its President, P.Balasubramaniam,
1-A, Subbia Gounder Street,
Vellalore, Coimbatore.

6.A.Gopalakrishnan

7.Pattakkara Arusamy

8.Kannan

9.K.Murugesan

10.Kumaran @Kumar

11.V.Senthil Kumar

12.K.Radhakrishnan

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13.R.Kanagaraj

14.T.Sethurama Subbiah @ Sethu
(R5 to R14 are impleaded as per order
dated 02.11.2017 in W.M.P.No.24856/17
in W.P.No.6193/2014)

15.Shri Karivaradharaja Perumal Thirukkoil
Rep.by Fit Person,
Vellalore,
Coimbatore – 641 111.
(R15-impleaded as per order dated 08.10.2018
in W.M.P.No.30792 of 2018
in W.P.No.6193 of 2014) ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the 1st respondent in proceedings vide No.K4/1086/2014 dated 21.01.2014, quash the same and consequently direct the 1st respondent to issue patta in favour of the petitioner after rectifying the error crept in the Re-survey and Re-Settlement together with the order of substitution for the classification of 'Nanja land' in the place of 'Tharisu land' in respect of S.No.764/5 of Vellalur Village, Coimbatore South Taluk into UDR.

For Petitioner : Mr.S.Parathasarathy, Senior Counsel
For M/s.P.Arivudainambi

For Respondents: M/s.A.Srijayanthi,
Spl GP for R1 to R3
Mr.A.E.Ravichandran for R4
Mr.R.Bharathkumar for R5 to R14
Mr.R.Rajesh Vivekananathan for R15

O R D E R

The rejection order passed by the 1st respondent in proceedings dated 21.01.2014 is under challenge in this writ petition. Further, a direction is sought for by the petitioner, to direct the 1st respondent to issue patta in favour of the petitioner, after rectifying the error crept in the Re-survey and Re-Settlement together with the order of substitution for the classification of 'Nanja land' in the place of 'Tharisu land' in respect of S.No.764/5 of Vellalur Village, Coimbatore South Taluk into UDR.

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2.The facts in nutshell as narrated by the writ petitioner is that the petitioner has preferred an appeal on 09.01.2014, challenging the order passed by the 2nd respondent in proceedings dated 04.12.2013. Along with the appeal, the writ petitioner preferred an interim application, seeking for a direction and to stay the proceedings of the 2nd respondent. However, the 1st respondent has rejected the interim applications against which the present writ petition has been filed.

3.The petitioner states that the wet land admeasuring 36 cents comprised in S.No.764/C (together with major extent of land in S.No.766/A and 767/A) of Vellalur Village, (previously known as SARKAR Agraharavellalur), Coimbatore South Taluk, (then Coimbatore Taluk) originally belonged to Ramasamy Chettiar, who in turn sold the aforesaid properties by way of sale deed, dated 18.05.1913 and registered as Doc.No.3648/1913 on the file of the Joint Sub-Registrar II, Coimbatore in favour of Saminatha Chettiyar, son of Chettiyappa Chettiar(petitioner's great grandfather) for valuable sale consideration.

4.The petitioner further states that the petitioner and his forefathers are in continuous and interrupted possession and enjoyment of the land comprised in S.No.764/5 pursuant to the above said registered sale deed in favour of his great grandfather namely Saminatha Chettiar. Thus, on and from the date of purchase, the forefathers of the petitioner had paid the kist till their life time and now, the petitioner is paying the kist to the said land continuously and put in uninterrupted possession and continuous enjoyment. On account of mistake or omission petitioner's forefather name had not been mentioned, while carrying out the re-survey and settlement. Consequently, again in the course of carrying out UDR, the above said survey number alone erroneously classified as "Tharisu" without verifying the valid and lawful title of the petitioner's forefather. To rectify the mistake, there is a Government order and the well established procedure contained in the manual of re-settlement and both were conveniently ignored by the 2nd respondent and thus, she has come to an adverse conclusion and passed an ex-facie illegal order. The petitioner also states that without considering the lawful claim made by the petitioner and on a total misconception of law and facts, the 2nd respondent herein by her proceedings dated 04.12.2013, arbitrarily rejected the petitioner's lawful and genuine grievance.

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5.It is also stated that based on the 1st and 2nd respondents order dated 21.01.2014 and 04.12.2013, the 3rd respondent is on and off warning the petitioner to remove the live fencing and the barbed wire fencing put up in and around the four sides of S.No.764/5 for the sole reason to evict the petitioner immediately and to handover the land to the lawless group of people, who are actively involving themselves in real estate activities, under the leadership of Mr.P.Balasubramanian. But, the petitioner has not complied with the illegal demand of the 3rd respondent.

6.The petitioner further states that, since he has not complied with the illegal demand of the 3rd respondent, on 30.01.2014, the 3rd respondent has mobilized JCP(Earthmover) with men and material to break open the live and barbed fencing put up by the petitioner, so as to take over the land comprised in S.No.764/5 of Vellalur Village from the petitioner's possession illegally and to handover the same to the above said local anarchic, so as to make use of the land for the formation of a road connecting to their huge housing layout comprised in Survey No.764/9A. In the above modus operandi, the 3rd respondent is enabling the anarchic and ungovernable group to grab the petitioner's land illegally. Though the petitioner has explained the exact position about his filing of appeal, the 3rd respondent bluntly refused to hear him and simply brushed aside the request of the petitioner to defer any kind of arbitrary action till the disposal of the appeal before the 1st respondent. Immediately, the petitioner has made an oral representation to the Collector on 30.01.2014 and highlighted about the pendency of the appeal before the 1st respondent and further, explained about the high-handed action of the 3rd respondent and requested her to intervene and to safeguard his possession and continuous enjoyment. But, for the timely intervention of the Collector, the 3rd respondent would not have deferred his action on 31.01.2014. Otherwise, on 31.01.2014 itself, the 3rd respondent would have dispossessed the petitioner, even pending disposal of the appeal before the 1st respondent. The petitioner reliably learnt that, at the behest of the above said lawless group of Mr.Balasubramaniam and others, now the 3rd respondent is seriously contemplating to dispossess the petitioner unceremoniously at any moment and to take over the land either on 28.02.2014 or on any other short dates and soon thereafter to issue patta in the name of the interested person as suggested by Mr.Balasubramaniam and thereby render the pending appeal to become infructuous. Thus, the 3rd respondent has planned to evict

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the petitioner, notwithstanding the pending statutory appeal before the 1st respondent.

7.The learned Senior Counsel appearing on behalf of the writ petitioner mainly contended that there is an error crept in respect of the entries in the revenue records. Thus, the petitioner made an application to correct the revenue records. The land in question is in possession and enjoyment of the father of the writ petitioner and now with the writ petitioner for long years. This apart, the petitioner is not yielded to the illegal demand of the 3rd respondent / Revenue Divisional Officer and that is the reason why, the Revenue Divisional Officer passed an elaborate order, rejecting the claim of the writ petitioner.

8.It is further contended that the grounds raised by the writ petitioner, both before the Revenue Divisional Officer as well as before the 1st respondent had not been considered with reference to the claim of the writ petitioner. The petitioner further claims title, ownership and possession in respect of the property in question based on the sale deed dated 18.05.1913. Thus, the wrong entries made in the UDR are to be corrected.

9.The learned Special Government Pleader, at the first instance made a submission that the land in question is a Government land, which is classified as 'Tharisu'. The writ petitioners' 'Tharisu' and some portion of the land is classified as 'Government Poramboke'. Thus, the writ petitioner is an encroacher and the pathway allotted to the people of that locality is also encroached by the writ petitioner. Thus, the writ petition itself is to be rejected.

10.This apart, on hearing the Special Government Pleader that the writ petitioner is an encroacher and further, informed this Court that the land in question is classified as 'Tharisu' and 'Government Poramboke lands', directed the Tahsildar, Madukkarai Taluk, Coimbatore District to measure the entire lands belongs to the Government, which is classified as 'Tharisu' or 'Pathway' or 'Government Poramboke' or otherwise and identify the Government lands with the assistance of the Assistant Director of Survey Land Records, Coimbatore District and file a report in this regard.

11.Pursuant to the orders of this Court dated 17.09.2018, the Tahsildar, Madukkarai Taluk, Coimbatore District filed a

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report, stating that the land in question is encroached by the writ petitioner and as per the revenue records, it is classified as 'Tharisu' and portion of a land admeasuring 0.48 Acres are classified as 'Pathway' and in respect of other 2 Survey Numbers also, the pathway continues. The report of the Tahsildar clarifies that the writ petitioner is in encroachment of the Government Poramboke land including the pathway allotted for the public usage.

12.The 5th respondent Temple also filed a counter affidavit, stating that the writ petitioner is a land owner and his lands are situated in the vicinity of the said Temple. The Uncle's name of the writ petitioner is Mr.Rajendran, who is also owning his lands nearby the petitioner's land. It is further contended that Mr.Rajendran is the retired District Collector and wielding considerable influence with the present officialdom. The land in and around the Sri Karivaradaraja Perumal Temple lands in SF Nos.764/5, 764/7, 764/11, 764/12 and 764/13 are situated. In this S.F.Nos.764/5 and 764/7 are classified as 'Poramboke lands' and the other lands in S.F.Nos.764/11, 764/12 and 764/13 are classified as 'Pathway'(Road) in the revenue records. These lands are situated in between the lands of the writ petitioner and the Temple. These lands are being used by the Temple from the time immemorial at festival times. After the renovation work of the said Temple started during the year 2012, building materials had been dumped in these lands. The writ petitioner instigated by his Uncle / a retired I.A.S., officer, Mr.Rajendran, along with the writ petitioner fenced the above lands and prevented the committee members and devotees from using these lands for Temple purposes.

13.On account of the illegal activities of the writ petitioner with the assistance of his Uncle, Mr.Rajendran, retired I.A.S., officer, the petitioner approached the local Pothanur Police Station for their intervention into the matter and a complaint also filed by him on 18.04.2013. During the enquiry, the said Mr.Rajendran, retired I.A.S., officer claimed that a portion of these lands, viz., S.F.Nos.764/5 & 7, a "B" memo stands in the name of his mother M/s.Mallammal. However, however, on a perusal of the revenue records, it was revealed that the said "B" memo has been cancelled by the revenue authorities long before and the said Mr.Rajendran, retired I.A.S., officer also had made an application for restoration of the "B" memo in his favour. But, the same was not entertained by the revenue officials, because of the counter claim and counter claim by the 5th respondent Temple, representing on behalf of the devotees. Contrary to the revenue records, the writ petitioner, his Uncle, Mr.Rajendran, retired I.A.S., officer and Pothanur

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Police Station referred the matter the Revenue Divisional Officer for an enquiry under Section 145 of Code of Criminal Procedure under FIR No.446/2013 dated 18.04.2013 and the same is pending. The encroachments made by the writ petitioner has also been widely reported and informed to all other higher officials in view of the fact that there is an undue influence on the part of the retired I.A.S., officer in support of all such encroachments.

14.After sometime, when the Temple Committee members of the 5th respondent Temple made a request to remove the fencing put up by the writ petitioner and his uncle, Mr.Rajendran, retired I.A.S., officer, who preferred a Police complaint as if the 5th respondent and other Committee members assaulted them. In this regard, no FIR has been registered against the 5th respondent and the Committee members before the Pothanur Police Station on 03.12.2014 in FIR No.890/2014 and the same is also pending.

15.The Revenue Divisional Officer conducted a detailed enquiry, providing an opportunity to all the parties and by verifying the original records, passed an order on 04.12.2013. The Revenue Divisional Officer affirmed that the lands referred in the present writ petition are "Government Poramboke lands" and the above case has already been decided by the Land Commissioner, Chennai and therefore, the claim of the writ petitioner and his Uncle, Mr.Rajendran, retired I.A.S., officer, cannot be entertained.

16.It is contended by the 5th respondent that the retired I.A.S., officer, Mr.Rajendran did not come into picture at any point of time and he always used his brother's son, Mr.Jayakumar (the writ petitioner) for all his illegal activities. The Modus Operandi is that the writ petitioner will file petitions before the Governmental authorities and his Uncle Mr.Rajendran, retired I.A.S., officer will see that the same is done through his influence.

17.Under these circumstances, it is contended by the 5th respondent that the writ petitioner is an encroacher and therefore, he must be evicted from the Government lands and the lands must be utilized for the public purposes.

18.When the matter was heard at length by this Court on several occasions and when this Court directed the Tahsildar,

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Madukkarai Taluk, Coimbatore District to measure the entire land with the help of the Assistant Director of Survey and Land Records and submit a report and when the Tahsildar also submitted a report in respect of the land described in the writ petition and the classifications made in the Revenue Register, the learned Senior Counsel appearing on behalf of the writ petitioner, on instructions from the writ petitioner made a submission that the petitioner is willing to withdraw the writ petition. The learned counsel on record is also ready to make an endorsement in the case bundle to that effect. However, this Court informed the learned Senior counsel that in view of the fact that the writ petitioner is an encroacher even in case of withdrawal of the writ petition, this Court has to record the facts and the reports submitted by the Tahsildar in the order. Then, the case was passed over for getting further instructions from the writ petitioner. When the matter was called at 2.15.p.m, the learned Senior Counsel for the writ petitioner made a submission that the order challenged in the present writ petition is an order of rejection, passed by the 1st respondent in proceedings dated 21.01.2014, in respect of the application filed by the writ petitioner, seeking interim relief in the main appeal filed against the order dated 04.12.2013.

19.The learned Senior Counsel is of an opinion that the writ petition itself was filed in respect of the rejection order passed with reference to the application filed by the writ petitioner along with the main appeal, seeking interim relief. Therefore, the main appeal is pending before the 1st respondent even now. Thus, the writ petitioner may be permitted to pursue the main appeal now pending before the 1st respondent.

20.Taking note of the said submission, this Court formed an opinion that the case is of one that of an encroachment of Government land. In respect of encroachments, there cannot be any leniency or misplaced sympathy. All encroachments are to be dealt in accordance with law in the interests of public. The Government lands are to be utilized only for the welfare of the public and to implement the welfare schemes by the Government. Encroachments by such landlords like the petitioner, can never be tolerated. The petitioner is a landlord and possessing lands adjacent to the Government land, which is classified as “Government Poramboke” and “Pathway”. Under these circumstances, the petitioner cannot be treated on bar with poor landless persons. When the petitioner himself is a landlord in that locality and when the petitioner’s Uncle, one, Mr.Rajendran, is a retired I.A.S., officer and on account of the allegation made against the retired I.A.S., officer, this Court taught fit that such a course of action, allowing the writ petitioner to

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withdraw the writ petition and go before the 1st respondent once again, will not serve the purpose. Contrarily, the same will provide unnecessary further hope for the writ petitioner to develop the conflicts and achieve his goal through back door methods. When this Court directed the Tahsildar to measure the entire Government land with the assistance of the Assistant Director of Survey and Land Records, who in turn submitted a detailed report in respect of the classification of the lands, there is no reason to allow the writ petitioner once again to adjudicate the matter before the authorities.

21.It is the petitioner, who filed the present writ petition, challenging the order passed by the 1st respondent. After filing of the writ petition and when the petitioner understood that the Tahsildar measured the land and filed a report, furnishing the details regarding the lands in question, thereafter, the writ petitioner cannot escape from the orders of this Court on merits. The very idea of the writ petitioner is to escape from the clutches of law, so that he can meet out the other issues with the help of, either the officials or with the help of any other person in that locality. Since, the writ petitioner himself is a landlord and from the well of family and when the Court heard and decided to pass orders, the submission of the petitioner cannot be encouraged. Sometimes, the litigants understanding the mood of the Court at the final stage, when the order is to be dictated or pronounced, they preferred to withdraw the writ petition. Undoubtedly, such a request can be considered by the Courts without reference to any other merits and demerits. However, if the public interests is involved and when it is brought to the notice of this Court that the writ petitioner is an encroacher of the Government lands and further, the dispute between the Temple devotees and the writ petitioners are also resulted in registering of criminal cases, the Constitutional Courts is bound to see the ground reality and pass orders on merits, so as to resolve the issues in the interests of public as well as in the interests of the parties concerned.

22.With reference to the merits advanced by the writ petitioner, this Court is of an opinion that the writ petitioner claims that the wet lands admeasuring 36 cents comprised in S.No.764/C (together with major extent of land in S.No.766/A and 767/A) of Vellalur Village, (previously known as SARKAR Agraharavellalur), Coimbatore South Taluk, (then Coimbatore Taluk) originally belonged to Ramasamy Chettiar, who in turn sold the aforesaid properties by way of a sale deed, dated 18.05.1913 and registered as Doc.No.3648/1913 on the file of the Joint Sub-Registrar II, Coimbatore in favour of Saminatha

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Chettiyar, son of Chettiyappa Chettiar(petitioner's great grandfather) for valuable sale consideration. However, the writ petitioner claims title, ownership or possession, and when the revenue officials now passed an order, stating that the land in dispute is classified as 'Tharisu', 'Poramboke' and more specifically, pathway(Road) for the usage of the public at large. Then, the writ petitioner has to approach the competent Civil Court of law in order to establish his title, ownership or possession. Contrarily, the writ petitioner cannot attempt to settle the issues again and again by approaching the revenue officials and by creating law and order problems in that locality. Already 145 proceedings under the Code of Criminal procedure has been initiated and the same is pending. This apart, the criminal cases between the parties are also pending before the jurisdictional Police Station. Under these circumstances, it is always preferable that the parties to the lis shall approach the competent Civil Court of law for the purpose of establishing their title. However, the same will not prevent the Government authorities from eviction of the encroachers in the public land. Once, the revenue officials on verification of the revenue records, came to know that a particular portion of the land is classified as 'Poramboke' and 'Tharisu' or 'Pathway', then they are bound to invoke the provisions of the Tamil Nadu Land Encroachment Act, 1905 and evict all such encroachers by following the procedures as contemplated under law. If at all, the petitioner claims ownership, it is for him to establish the same before the competent Civil Court. Thus, the writ petitioner has not made out any valid grounds for the purpose of considering his relief. The Appellate authorities / 1st respondent, prima facie found that there is no acceptable ground for the purpose of grant of interim order. Such being the decision taken already and the writ petitioner challenged the said order by way of a writ petition before this Court and when this Court has ordered for re-measurement of the entire land with the assistance of the Assistant Director of Survey and Land Records and after submission of the report, the writ petitioner cannot say that he will pursue the appeal before the 1st respondent. The writ petitioner has chosen to prefer this writ petition and, when a report was submitted before this Court, after conducting measurement and verification of revenue records, there is no reason to protract the issues in the interests of public at large.

23.The learned Special Government Pleader with reference to the report filed by the Tahsildar, Madukkarai Talulk, Coimbatore District contended that the writ petitioner is an encroacher and he is attempting to influence the authorities and other persons with the assistance of his Uncle, who is a retired I.A.S.,

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officer. In such circumstances, this Court has to permit the revenue officials to remove all such encroachments and utilize the land for public purposes. The report submitted by the Tahsildar, Madukkarai Taluk, Coimbatore District is extracted hereunder:

"I am working as Tahsildar, Madukkarai and as such I am acquintained fully with the facts of the case.

Pursuant to the orders issued by the Honourable High Court, Chennai in W.P.No.6193 of 2014 and M.P.No.1 of 2014 on 17.09.2018, the Poramboke lands in and around the lands held by the Writ petitioner Thiru.V.P.Jayakumar was surveyed on 25.9.2018 with the assistance of Assistant Director of Survey and Land Records, Coimbatore.

During the survey Writ Petitioner Thiru.V.P.Jayakumar and respondent 4 were was also Present. The following is the status of lands as per ground

S.No.	Survey No	Extent (in acres)	Whether encroached or not	Extent of encroachment(in acres)	Nature of encroachment
1	764/5	0.42	Encroached by Writ Petitioners	0.42	The land is maintained as tharisu and throny bushes are there. One coconut tree is there
2	764/7	0.36	Encroached by Writ Petitioner	0.36	The land is maintained as tharisu and throny bushes are there. One coconut tree, five arecanut trees and one seedling of coconut tree are there

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3	764/11	0.57	Encroached by the writ petitioner Partially	0.48	Nearly 9 cents are used by public as pathway and rest of the land 48 cents are under the possession of the Writ Petitioner. There are Throny bushes
4	764/2	0.02 ½	Encroached by the Writ Petitioner	0.02 ½	Being used as pathway. Throny bushes are there
5	764/13	0.05	Encroached by the Writ Petitioner	0.05	Being used as path way. Throny bushes are there

24.The encroachments marked in the sketch also categorically establishes that the Government lands are under encroachment.

25.The sketch produced by the Tahsildar clarifies that the Government lands are classified as 'Tharisu', 'Poramboke' and 'Pathway' are also under encroachment. This being the field report submitted by the Tahsildar, this Court has no hesitation in coming to the conclusion, that the persons, who have encroached the Government land are certainly liable to be evicted under the provisions of the Tamil Nadu Land Encroachment Act, 1905. Encroachment is however menace and few greedy men are encroaching the Government land for the purpose of their personal gains and for unlawful enrichment. Such greedy men are adopting all illegal methods to protect such encroachment in an illegal manner. The encroachments of Government land in our State are considerably increasing on account of the mounting of the land cost. As the land cost increases, the encroachments are also increasing. There is no end for greediness. However, such greedy men, who have encroached the Government lands are to be dealt in accordance with law and there cannot be any leniency or misplaced sympathy in this regard.

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26.The Government lands are meant for the public usage. Government lands or water bodies are to be protected in the interests of public. It is duty mandatory on the part of the State to protect the Government lands for the purpose of implementing the welfare schemes. Protection of the Government lands, water bodies and water resources are the constitutional mandates and the State is bound to implement the same. Thus, the State authorities must be held responsible for all such encroachments and the authorities must be personally made liable and accountable in the event of allowing such encroachments and not initiating steps to evict such encroachments.

27.This Court is able to visualize that a Tahsildar or his subordinates or the higher officials in the District Administration are very well aware of all such encroachments. Day-in and Day-out, such field officers are passing through all such encroachments in Government land and water bodies. The local Village Administrative Officers and other revenue officials are very much aware of all these encroachments. In spite of their clear knowledge about such encroachments, why actions are not taken under the law, is the important question to be raised by all concerned in the interests of public. The reasons can be many, possibly such Government lands are shown by these revenue officials to some greedy men, who are capable of satisfying the needs of such Government officials. Such encroachments are permitted by the revenue officials on account of corruption.

28.The encroachments are permitted by such local officials on certain political influences and at the influence of some higher officials.

29.This Court is of an opinion that a common man, in all circumstances may not know, what all are the lands, classified as Poramboke lands, water bodies, water resources in the revenue records. Thus, the revenue details are made available in the office of the District Administration and Taluk Offices. Thus, without the assistance of some officials or the subordinates working in the District Administration or Taluk Offices, it may not be possible for such greedy men to encroach with confidence. Such encroachments are done and the people are continuing the encroachment with full confidence that nobody can touch them. Who gave such a strength to these encroachers, who all are none other than the offenders. Encroachers being offenders when not dealt in accordance with law, is detrimental to the public as well as the public administration.

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30.Under these circumstances, this Court is of a considered opinion that all these officials of the District Administration must not only be held responsible, but also to be made accountable in respect of encroachments of Government lands, water bodies and water resources. The inaction of the District Administration, inefficiency of the officials lead to large scale of encroachments in the State. Thus, the Constitutional Courts are bound to take note of the seriousness and deal with such cases, so as to ensure the rule of law in the State by protecting all such Government lands, water bodies and water resources.

31.It is established before this Court that the writ petitioner is an encroacher. When it is established before this Court that the writ petitioner is an encroacher, then there is no point in sending the matter back once again to the revenue officials. The order passed by the Revenue Divisional Officer dated 04.12.2013, elaborately states that the land in question are classified as "Tharisu", "Pathway", and "Government Poramboke land".

32.This being the factum of the case, this Court is inclined to pass the following orders:

(i) The impugned order passed by the 1st respondent in proceedings dated 21.01.2014 stands confirmed.

(ii) The respondents 1 to 3 are directed to evict the writ petitioner from the Government lands within a period of four weeks from the date of receipt of a copy of this order.

(iii) The Commissioner of Police, Coimbatore, is directed to provide Police Protection for the eviction of the writ petitioner from the Government lands.

(iv) The 1st respondent is directed to conduct an enquiry in respect of the lapses on the part of the revenue officials in protecting the Government lands, water bodies and water resources and initiate appropriate action, if any negligence or dereliction of duty is found.

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33.With these directions, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

To

1.The Principal Secretary and Commissioner
Land Administration,
Chepauk,
Chennai - 600 005.

2.The District Revenue Officer,
Coimbatore.

3.The Revenue Divisional Officer,
Coimbatore.

4.The Commissioner of Police,
Coimbatore.

+1cc to Mr.P.Arivudai Nambi, Advocate Sr.69258
+1cc to M/S.R.Bharathkumar, Advocate Sr.69812
+1cc to Mr.A.E.Ravichandran, Advocate Sr.69416
+1cc to Mr.R.Rajesh Vivekananthan, Advocate Sr.69498
+1cc to the Government Pleader Sr.69649

W.P.No.6193 of 2014

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