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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2018

CORAM:

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE Mrs. JUSTICE R.THARANI

W.P.(MD)No.2917 of 2018

Chinnakaruppan ... Petitioner

Vs.

1.The District Collector,
Dindigul District.

2.The Tahsildar,
Natham Taluk,
Dindigul District.

3.Vemban
4.Andichamy, S/o.Samy Ambalam
5.Andichamy,S/o.Keerikathan ... Respondents

PRAYER: The petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to take necessary action to remove the encroachment made by the respondents 3 to 5 in S.F.Nos.336/1, 190/4 and 192/1 which are classified as Canals and S.F.Nos.188/1, 191/3, 191/9, 192/1 and 197/1A, 1B, which are classified as Government poramboke and Geological Canal situated within S.F.Nos.338/1B, 1B, 338/1B, 1E, 338/4A, 2A and 339/4A3 at Reddiyappatti Village, Natham Taluk, Dindigul District.

For Petitioner : Mr.T.Vadivelan
For Respondents : Mr.D.Muruganantham, AGP for R1 and R2

ORDER

(Order of the Court was made by T.S.SIVAGNANAM,J.)

Heard Mr.Videvelan, learned counsel for the petitioner.

2.The petitioner seeks for a direction upon the official respondents to take action and remove the encroachment alleged to have been caused by the private respondents 3 to 5.

3.We find that the representation dated 05.01.2018 was sent through register post only on 09.01.2018 and without even giving a reasonable time to the officials to consider the said representation, the petitioner has rushed to this Court.

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4.Even as per the case of the petitioner, the alleged encroachment appears to have been in inexistence for quite a long number of years. Therefore, we find that the present Writ petition is premature. Accordingly, the Writ petition is dismissed.

5.The petitioner is directed to appear before the concerned respondent and give a fresh representation along with the copy of this order and pursue the matter before the respondent concerned.

No costs.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Dindigul District.

2.The Tahsildar,
Natham Taluk, Dindigul District.

+1CC to Mr.T.Vadivelan, Advocate, SR.No. 48509
+1CC to the Special Government Pleader SR.No.48996

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nbj
AM/SV MMS/SAR 1/27.02.2018/2P/5C

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