



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD) No.15936 of 2018

WEB COPY

R.Soladevi

... Petitioner

-vs-

1.The District Collector,
District Collector Office,
Sivagangai,
Sivagangai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Devakottai,
Sivagangai District.

3.The Tahsildar,
Taluk Office,
Thiruppathur,
Sivagangai District.

4.Maharaja Polytechnic College,
Rep. by its Secretary,
Aralipatti Diversion,
S.V.Mangalam Village,
Marudhipatti Panchayat,
Singampunari Taluk,
Sivagangai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1 to 3 Respondents to remove the encroachment made by the 4th respondent and other private persons made in S.No.255, with an extent of 28.38.50 hectares and S.F.No.200, Cart Track in S.F.No.229/14, Road in S.F.No.585, Streets in S.F.Nos.584/1 and 579/1 situate in Aralipatti Kanmai in Aralipatti Village, S.V.Mangalam Post, Marudhipatti Panchayat, Singampunari Taluk, Sivagangai District in any form by considering the representation dated 04.07.2018.

For Petitioner : Mr.N.Ganapathi Subramanian

For Respondents 1 to 3 : Mr.K.Saravanan
Additional Government Pleader

For 4th Respondent : No appearance

**O R D E R****(Order of the Court was made by M.M.SUNDRESH, J.)**

This writ petition has been filed seeking a direction to the respondents 1 to 3 to remove the encroachment made by the 4th respondent and other private persons made in S.No.255, with an extent of 28.38.50 hectares and S.F.No.200, Cart Track in S.F.No.229/14, Road in S.F.No.585, Streets in S.F.Nos.584/1 and 579/1 situate in Aralipatti Kanmai in Aralipatti Village, S.V.Mangalam Post, Marudhipatti Panchayat, Singampunari Taluk, Sivagangai District in any form by considering the representation dated 04.07.2018.

2.Petitioner has made several representations, last one of 04.07.2018, stating that the 4th respondent has encroached upon the water body and a cart track. Seeking action, the present writ petition has been filed. In support of the aforesaid contentions photographs have also been produced.

3.Considering the submissions made, we do not propose to go into the merits of the case. However, suffice to direct respondent No.3 to look in the same and take appropriate action in accordance with law.

4.Accordingly, this Writ Petition is disposed of, directing the respondent No.3 to look into the claim of the petitioner and take appropriate action by either himself or asking the appropriate authority to do so after giving notice to the petitioner, the fourth respondent and other necessary parties. Such exercise shall be completed on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The District Collector,
District Collector Office,
Sivagangai,
Sivagangai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivagangai,
Sivagangai District.



3.The Tahsildar,
Taluk Office,
Thiruppathur,
Sivagangai District.

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+1cc to Mr.P.Ganapathi Subramanian, Advocate Sr.No.84836
+1cc to Spl.Government Pleader Sr.No.84742

SJ

VB/RP/SAR4/08.10.2018/3P/6C

W.P. (MD) No.15936 of 2018
17.09.2018