



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].No.17843 of 2018

WEB COPY

Mookkan @ Mukilan

: Petitioner

Vs.

1. The Commissioner,
Corporation of Madurai,
Madurai City,
Madurai - 625 002.
2. The Assistant Commissioner,
Zone - II, Corporation of Madurai,
Race Course Road,
Madurai - 625 002.
3. The Tahsildar,
East Taluk Office,
Narasingam,
Madurai District.
4. The Special Tahsildar,
Adi Dravidar Welfare Department,
Land Acquisition Department (Unit - 2),
District Collector Office Campus,
Madurai - 625 020.

5.Pandi

6.Vasanth

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachments made in Survey Numbers:128/71, 128/72 and 128/73, Uthangudi Village, Madurai East Taluk, Madurai District, based on the petitioner's representation dated 13.03.2018 and subsequent representation dated 07.07.2018.

For Petitioner : Mr.R.Karunanidhi

For Respondents : Mr.T.S.Mohammed Mohideen,
Standing Counsel for R.1 & R.2
Mr.N.Shanmugaselvam,
Additional Government Pleader for R.3
& R.4

**ORDER**

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

Heard the learned Counsel appearing for the respective parties.

2. This writ petition has been filed by the petitioner seeking a direction to the official respondents to take action to remove the encroachment made by the respondents 5 & 6, who already made an attempt to get a patta, which was also rejected by the common order passed by this Court in W.P.(MD)Nos.1267 of 2015 and 1272 of 2018, dated 25.01.2018.

3. A perusal of the documents filed would show that already a communication was sent by the third respondent to the second respondent to take appropriate action.

4. The learned Standing Counsel appearing for the first and second respondents also submits that appropriate action would be taken after following due procedure.

5. Accordingly, this writ petition is disposed of, by directing the first and second respondents to take appropriate action to remove the encroachments made by the fifth and sixth respondents, after due notice to them. The needful will have to be done within a period of six weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Tahsildar,
East Taluk Office,
Narasingam,
Madurai District.
2. The Special Tahsildar,
Adi Dravidar Welfare Department,
Land Acquisition Department (Unit - 2),
District Collector Office Campus,



+1cc to Mr.R.Karunanidhi, Advocate SR.No.78117
+1cc to Mr.T.S.Mohammed Mohideen, Advocate SR.No.78258
+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.78417

gk

MK/RP/SAR 3/27.08.2018/3P/6C

W.P. [MD] .No.17843 of 2018
11.08.2018