

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2019

CORAM :

The Hon'ble Mrs.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.9813 of 2019

D.Mohanasundarasamy

.. Petitioner

-vs-

1. The District Collector,
Erode District.

2. The Tahsildar,
Perundurai Taluk,
Erode District.

3. Yogaraj

4. Subramaniam

5. Chinnasamy

6. Selvaraj

7. Sakthivel S/o.Kolandasamy

8. Sakthivel S/o.Shanmugam

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the second respondent to evict the encroachment made in Survey Numbers viz., 13, 14, 15, 16 in Kovilpalayam Village, Perundurai Taluk and Survey Numbers 45, 126, 132, 133, 134, 135, 190, 191, 193 in Pethampalayam Village at Perundurai Taluk as per Section 6 of the Tamil Nadu Land Encroachment Act, 1905.

For Petitioner

: Mr.E.P.Senniyangiri

For Respondents

: Mr.V.Jayaprakash Narayanan
Government Pleader (i/c)
for respondent Nos.1 and 2

Mr.D.Gopal
for respondent No.4

No Appearance
for respondent Nos.3, 5 to 8

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

Heard Mr.E.P.Senniyangiri, learned counsel for the petitioner; Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c) for respondent Nos.1 and 2 and Mr.D.Gopal, learned counsel for respondent No.4.

2. The case of the petitioner is that there are encroachments in Survey Nos.13, 14, 15 and 16 in Kovilpalayam Village, Perundurai Taluk and Survey Nos.45, 126, 132, 133, 134, 135, 190, 191 and 193 in Pethampalayam Village, Perundurai Taluk. According to the petitioner, the said encroachments have been made by respondent Nos.3 to 8. Hence, it is prayed that the said encroachments be removed.

3. The learned Government Pleader (i/c) has stated that wherever they found encroachments, they have issued notices under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 to the encroachers on 22.05.2019 and after adhering to the stipulated time limit, notices under Section 6 of the said Act would be issued and thereafter action would be taken to remove the encroachments.

4. In view of the submission made by the learned Government Pleader (i/c), no further orders are necessary at this stage and the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

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To

Sub Assistant Registrar

1. The District Collector,
Erode District.

2. The Tahsildar,
Perundurai Taluk,
Erode District.

+1 cc to the Spl. Government Pleader, Advocate, S.R.No.61875

+1 cc to Mr.D.Gopal, Advocate, S.R.No.60591

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NR(CO)
SSM(08/08/2019)