

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2019

CORAM :

THE HON'BLE MRS.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P. No.24315 of 2018

G.Kandasamy Petitioner

Vs.

1.The District Collector,
Salem, Salem District.

2.The Tahsildar,
Kadayampatti Taluk,
Salem District.

3.N.Tamilan

4.N.Durai

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of mandamus directing the respondents 1 & 2 to remove the encroachment (for manufacturing bricks) on the Government land in S.No.82/2B2 situated at Kanavaiputhur Village, K.Morur, Kadayampatti Taluk by invoking the provisions of Land Encroachment Act 1905.

For Petitioner : Mr.M.Elango

For Respondents: Mr.V.Jayaprakash Narayanan,
Government Pleader (i/c) (R1 & R2)

Mr.C.Prabakaran (R3 & R4)

O R D E R

(Order of the Court made by M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of mandamus directing the respondents 1 & 2 to remove the encroachment (for manufacturing bricks) on the Government land in S.No.82/2B2 situated at Kanavaiputhur Village, K.Morur, Kadayampatti Taluk by invoking the provisions of Land Encroachment Act 1905.

2.According to the petitioner, the respondents 3 & 4 have encroached the Government Land in Survey No.82/2B2 and are manufacturing Bricks in the said land.

3.However, the 2nd respondent viz., the Tahsildar has filed a counter wherein in paragraph - 8, he has specifically stated that the encroachments made by the respondents 3 & 4 were removed on 04.01.2018 and now there is no encroachment in the land.

4.When the 2nd respondent has specifically stated that the encroachments made by the respondents 3 & 4 were removed and there is no encroachment now, we do not find any reason to pass any further order in the Writ Petition. Recording the averments made in the counter affidavit filed by the 2nd respondent, the Writ Petition is closed. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Salem, Salem District.

2.The Tahsildar,
Kadayampatti Taluk,
Salem District.

+lcc to Mr.C.Prabakaran , Advocate SR.No. 2490

+lcc to Mr.M.Elango , Advocate SR.No. 2940

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