

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2019

CORAM

THE HON'BLE DR.JUSTICE VINEET KOTHARI
AND
THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.17748 of 2018
and W.M.P.No.16527 of 2019

K.Periyannan

.. Petitioner

Vs.

1.The District Collector,
Erode District, Erode.

2.The Revenue Divisional Officer,
Gobichettipalayam, Erode District.

3.The Tahsildar,
Andhiyur, Erode District.

4.N.R.Govindarajar

.. Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to remove the encroachment and to demolish the compound wall illegally constructed by the 4th respondent in the Government Poramboke land situated in S.No.158/2 at Car Street, Neinjipettai Village, Andhiyur Taluk, Erode District and retain the land in its original position, free for the use of public.

For Petitioner : Mr.S.Doraisamy

For R1 to R3 : Mr.Vijay Narayan, A.G. Asst.by
M/s.A,N.Thambi Durai
Spl.Govt.Pleader.

For R4 : Mr.V.Raghavachari for
M/s.M.Narayanaswamy

J U D G M E N T
(By DR.VINEET KOTHARI,J.)

The learned Government Pleader has produced an affidavit today wherein it is stated that the patta has been issued by the

Additional Chief Secretary, Commissioner of Land Administration, Ezhilagam, Chepauk, Chennai and in favour of the 4th respondent Mr.N.R.Govindarajar, Ex.M.P. S/o.Ramasamy in respect of Survey No.158/2 Nerinjipettai Village, Andhiyur Taluk, Erode District. The said affidavit is taken on record. The copy thereof has been given by the learned Special Government Pleader to the learned counsel for the 4th respondent as well as to the learned counsel for the petitioner.

2. In view of the submissions made by the learned Special Government Pleader, this writ petition is disposed of as infructuous. However, liberty is available to the petitioner to contest the said patta in the appropriate appeal already said to have been filed by him. No order as to costs. Consequently, connected miscellaneous petition is closed.

kkd

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The District Collector,
Erode District, Erode.
- 2.The Revenue Divisional Officer,
Gobichettipalayam, Erode District.
- 3.The Tahsildar,
Andhiyur, Erode District.

+1cc to Mr.S.Doraisamy, Advocate, SR.No.76905
+1cc to the Govt.Pleader, Vide Sr.No.76845

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Kak(18/10/2019)