

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2019

CORAM

THE HON'BLE MRS.VIJAYA K.TAHILRAMANI, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.17874 of 2018

Sriraman

.. Petitioner

Vs

1 The District Collector
Office of the District Collectorate
Krishnagiri District.

2 The Thasildhar
Office of the Thasildhar
Denkanikotta
Krishnagiri District.

3 The Sub Collector
Office of the Sub Collector
Denkanikotta
Krishnagiri.

4 The Block Development Officer
Office of the Block Development Officer
Kelamangalam, Krishnagiri District.

5 Paneerselvam

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 4 to remove the encroachment in Denkanikotta Town S.No.134/2 by considering the petitioner's representation dated 26.3.2018.

For Petitioner : Mr.S.Kumaresan

For Respondents : Mr.S.Kamalesh Kannan
Government Advocate
for respondents 1 to 4

No appearance
for 5th respondent

ORDER

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

Heard Mr.S.Kumaresan, learned counsel for the petitioner and Mr.S.Kamalesh Kannan, learned Government Advocate for respondents 1 to 4.

2. The case of the petitioner is that there is encroachment in Survey No.134/2 of Denkanikotta Town. In view of this fact, the petitioner preferred a representation dated 26.3.2018 to the first respondent, i.e., the District Collector, Krishnagiri District. However, the encroachment had not been removed. Hence, the petitioner has prayed that respondents 1 to 4 be directed to remove the said encroachment by considering his representation dated 26.3.2018.

3. The learned Government Advocate has tendered the counter affidavit of the fourth respondent, i.e., the Block Development Officer, Kelamangalam, Krishnagiri District, wherein it is stated that the impugned land in S.No.134/2 is classified as "Government land" belonging to the Panchayat Union in the revenue records. The said land is about 0.13.0 in size. Complaints were received in relation to the encroachment in S.No.134/2, Denkanikotta Town. Based on these complaints, action was taken by the fourth respondent in the presence of the Village Administrative Officer, Revenue Officer and Sub Inspector of Police and encroachment in the said survey number was removed on 20.6.2019 and the same was communicated to the first respondent by communication in Na.Ka.No.2487/2007A2, dated 20.6.2019.

In view of the averments in the counter affidavit filed by the fourth respondent, no further orders are necessary. The writ petition is disposed of accordingly. No costs.

sasi

Sd/-

Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

To

1 The District Collector
Office of the District Collectorate
Krishnagiri District.

- 2 The Thasildhar
Office of the Thasildhar
Denkanikotta
Krishnagiri District.
- 3 The Sub Collector
Office of the Sub Collector
Denkanikotta
Krishnagiri.
- 4 The Block Development Officer
Office of the Block Development Officer
Kelamangalam, Krishnagiri District.

+1cc to Mr.V.Vijay Shankar, Advocate, SR.No.76617
+1cc to Mr.S.Kumaresan, Advocate, SR.No.76099
+1cc to the Govt.Pleader, Vide Sr.No.77409

W.P.No.17874 of 2018

Kak(27/09/2019)



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