

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2019

CORAM:

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
and
THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.No.22760 of 2019

N.Govindarajan

... Petitioner

vs.

1. The District Collector,
Office of the District Collector,
Villupuram District.
2. The Tahsildar,
Ulundurpet Taluk,
Villupuram District.
3. The Revenue Inspector,
Elvanasurkottai,
Villupuram District.
4. The Block Development Officer,
Ulundurpet Taluk,
Villupuram District.
5. N.Jothilingam
6. N.Kalaliarasan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a writ of Mandamus, directing Respondents 1 to 4 to remove the encroachments from the land in Survey No.12/1, Settiyandal Village.

For Petitioner : Mr.Ali Hassan Khan

For Respondents 1 to 4 : Mr.P.S.Shivashanmugasundaram,
Special Government Pleader

For Respondents 5 & 6 : No appearance

O R D E R
(Order of the Court made by M.M.SUNDRESH, J.)

The Petitioner seeks a direction to Respondents 1 to 4 to remove the encroachments made by the other private Respondents.

2. In the Affidavit filed by the 4th Respondent, the following Statement has been made:

"4. It is submitted that the impugned land in S.No.12/1 of Settiyandal Village classified as "Pattai" in the revenue records.

5. It is submitted that the General public of the Settiyandal Village had made representations to the 1st Respondent, 2nd Respondent, Village Administrative Officer, Inspector of Police, and this Respondent on different dates, seeking to take action on encroachment in Survey Numbers 12/1 and 53/10. Further, they had contended that the said encroachment causes hardship to the public.

6. It is submitted that based on the said representation of the Villagers, this Respondent had immediately acted on and vide communication dated 03.06.2019, this Respondent wrote to the 2nd Respondent, requesting to measure the said land, and give a report on the same.

7. It is submitted that on 24.06.2019, the 2nd Respondent herein had further written to the Head Surveyor, Ulundurpet, directing to measure the impugned survey numbers and mark the boundaries.

8. It is necessary to state that once a report/Form 1 is received from the 2nd Respondent, based on the measurements of the Head Surveyor, this Respondent shall take immediate actions to remove the encroachments, if any, following due process of law.

It is therefore, prayed that this Hon'ble Court may be pleased to pass appropriate orders and thus render justice."

3. In the light of the above, we call upon the 4th Respondent to complete the process and evict the encroachers, within a period of eight (8) weeks from the date of receipt of a copy of this order, after due notice to the Petitioner and the private Respondents.

This Writ Petition is disposed of with the above direction.
No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

aeb
To:

- 1.The District Collector,
Office of the District Collector,
Villupuram District.
- 2.The Tahsildar,
Ulundurpet Taluk,
Villupuram District.
- 3.The Revenue Inspector,
Elvanasurkottai,
Villupuram District.
- 4.The Block Development Officer,
Ulundurpet Taluk,
Villupuram District.

+1cc to Mr.Ali Hassan Khan, Advocate SR.96807
+1cc to the Government Pleader SR.97041

PP(CO)
CB(25/11/2019)

सत्यमेव जयते

W.P.No.22760 of 2019

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