

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.08.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P No.24150 of 2019

M.Arumugam

...Petitioner

.Vs.

1. The Sub Collector / Revenue Divisional Officer
Sub Collector / Revenue Divisional Office Complex,
Jakkampettai, Tindivanam
Villupuram District.
2. The Superintendent of Police
Superintendent of Police Office,
Villupuram, Villupuram District.
3. The Deputy Superintendent of Police
Deputy Superintendent of Police Office
Jayapuram, Tindivanam Town.
4. The Inspector of Police
Tindivanam Town Police
Tindivanam.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 4th Respondent to evict the illegal trespasses from the property at Door No.12 and 13 Vanipillayar Kovil Street, Tindivanam Town, pursuant to the proceedings of the 1st respondent in Na.Ka.A.3/3550/2014 dated 30.11.2016 and consequential representation's dated 16.11.2016 and 04.12.2018 of the petitioner within the time limit that may be fixed by this Court.

For Petitioner : Mr.Sasi Kumar
For Mr.T.M.Venkadesan

For Respondents
1 to 4 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This writ petition has been filed seeking for a direction

to the respondents to evict the trespassers in accordance with the proceedings of the 1st respondent dated 30.11.2016.

2. It is seen from the records that based on the complaint given by the petitioners, the 1st respondent by his proceedings dated 30.11.2016 directed the Tahsildar, Tindivanam and the Commissioner of the Municipality, Tindivanam, to take action and to report compliance after evicting the trespassers.

3. The grievance of the petitioner is that inspite of the direction given by the 1st respondent, no action has been taken and therefore, a representation was made to the 1st respondent on 04.12.2018, bringing to his notice the earlier proceedings and requesting the 1st respondent to take action to evict the encroachers in the property.

4. Inspite of receiving the representation, no action has been taken till today and therefore, the petitioner has approached this Court seeking for appropriate directions.

5. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondents.

6. Taking into consideration the facts and circumstances of the case, the 1st respondent is directed to consider the representation made by the petitioner on 04.12.2018, on its own merits and in accordance with law and take suitable action within a period of six weeks from the date of receipt of copy of this order. As and when any action is taken to remove the encroachers, suitable protection shall be given by the 2nd respondent at the request made by the 1st respondent.

7. This writ petition is disposed of with the above direction. No cost.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Sub Collector / Revenue Divisional Officer
Sub Collector / Revenue Divisional Office Complex,
Jakkampettai, Tindivanam
Villupuram District.
2. The Superintendent of Police
Superintendent of Police Office,
Villupuram, Villupuram District.
3. The Deputy Superintendent of Police
Deputy Superintendent of Police Office
Jayapuram, Tindivanam Town.
4. The Inspector of Police
Tindivanam Town Police
Tindivanam.
5. The Public Prosecutor
High Court of Madras.

+1cc to Mr.T.M.Venkatesan, Advocate, S.R.No. 74899

W.P.No.24150 of 2019

GMR(CO)
GN(30/08/2019)