

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2019

CORAM :

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

W.P.No.28380 of 2019

C.Thangamani

.. Petitioner

-vs-

1.The Deputy Registrar,
Co-operative Societies,
Dharmapuri.

2.The Executive Officer,
Special Grade Panchayat,
Mecheri & Post,
Salem District-636 453.

3.M.C.Raja

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 and 2 to admeasure the land in Plot No.15 in Survey No.259/1B and the vacant land meant and earmarked for the common purpose of park in the Mecheri Rural Housing Colony and consequently remove the encroachments existing in the said public pathway lands as per time frame fixed by this Hon'ble Court.

For Petitioner

: Mr.M.A.Balasubramanian
for M/S.MAB Associates

For Respondents

: Mr.L.P.Shanmugasundaram
Spl. Government Pleader
(Co-op)
for respondent No.1

Mr.V.Jayaprakash
Narayanan
Government Pleader
for respondent No.2

ORDER

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

The petitioner, Thangamani, son of Chinnakali, residing at 11/5-70C Mel Vellalar Street, Mecheri and Post, Salem District, has filed the present writ petition for a mandamus directing respondent Nos.1 and 2 to measure the land in Plot No.15 in Survey No.259/1B and the vacant land earmarked for common purpose of park in Mecheri Rural Housing Colony and to remove the encroachments existing in the public pathway by considering the legal notice dated 12.06.2019 issued to the respondents and consequently ensure that the park land is free from encroachments.

2. The learned Government Pleader, Mr.V.Jayaprakash Narayanan, has brought to our notice G.O.Ms.No.540, Revenue [LD6(2)] Department, dated 4.12.2014 issued by the State Government in pursuance of the directions of this Court on 11.8.2014 in W.P.No.26772 of 2013 and M.P.No.1 of 2013 filed by Mr.U.A.Marappa Gounder, whereby this Court directed the State Government to develop a mechanism for redressal of grievances with regard to various encroachments made in the public lands. The constitution of Taluk Level Committee at the Taluk Level, Appellate Committee at Divisional Level and Review Committee at District Level have been provided for in the said Government Order.

3. Having heard the learned counsel for the parties, we are of the opinion that the petitioner should be relegated to avail the mechanism provided in G.O.Ms.No.540, dated 4.12.2014 by the State Government for redressal of the grievance raised in the present writ petition. We also expect the authority concerned to act in accordance with law in an expeditious manner.

4. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

bbr
To:

1.The Deputy Registrar,
Co-operative Societies,
Dharmapuri.

2.The Executive Officer,
Special Grade Panchayat,
Mecheri & Post,
Salem District-636 453.

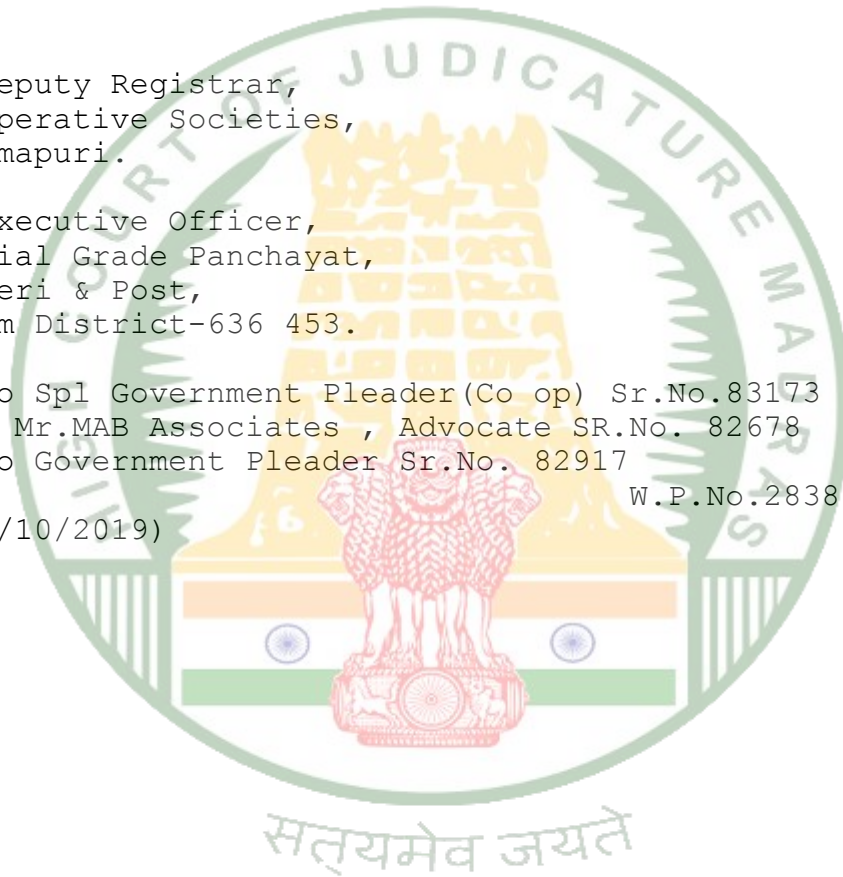
+1 cc to Spl Government Pleader (Co op) Sr.No.83173

+1cc to Mr.MAB Associates , Advocate SR.No. 82678

+1 cc to Government Pleader Sr.No. 82917

W.P.No.28380 of 2019

A.SK (22/10/2019)



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