

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.10.2019

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE N.SESHASAYEE

WP.No.29822/2019

K.P.Magendran

.. Petitioner

Versus

1.The District Revenue Officer
Collectorate, Namakkal,
Namakkal District.

2.The Tahsildar
Tiruchengode-637211
Namakkal District.

3.The Village Administrative Officer
Patlur, Goundampalayam
Tiruchengode Taluk,
Namakkal District
Pin Code 637 210.

4.Mr.K.Balasubramaniam

5.Tmt.B.Sumathi

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 1 to 3 to take immediate action for removing the encroachments made by the respondents 4 and 5 in the Government poramboke lands in Survey Nos.408/13, 408/10 [part] and 408/9 in Patlur, Goundampalayam Village, Tiruchengode Taluk, Namakkal District.

For Petitioner : Mr.P.Rajendran
For R1 to R3 : Mr.V.Jayaprakash Narayan
Government Pleader

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

(1)By consent, the writ petition is taken up for final disposal. Mr.V.Jayaprakash Narayan, learned Government Pleader accepts notice on behalf of respondents 1 to 3.

- (2)The petitioner claims to be a Public Interest Litigant and he is an agriculturist, cultivating 2.77 Hectares of Nanja lands in Survey No..169/5, Goundapalayam Village, Tiruchengode Taluk, Namakkal District and according to him, there is a Government Poramboke land in S.Nos.408/13, 408/10 [Part] and 408/9 in Patlur Village, Goundapalayam, and it is used as 'Girivalam' in respect of the temple which houses Sri Mahamariamman temple, Vinayagar temple and Muneeswaran temple.
- (3)The grievance expressed by the petitioner is that the private respondents had encroached upon the said poramboke land and started putting up construction unauthorisedly and the representation submitted by the petitioner in this regard, failed to invoke any kind of response and hence, the petitioner is constrained to approach this Court by filing the present writ petition.
- (4)A perusal of the typed set of documents would disclose that as per the Adangal Register issued by the Village Administrative Officer, of Patlur Village, Tiruchengode Taluk, Namakkal District, the lands in S.Nos.408/9 and 408/13 are classified as 'Government Poramboke' and the land in S.No.408/10 is classified as a 'site'.
- (5)The Court heard the submissions of the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents 1 to 3 also perused the materials placed before it.
- (6)This Court, taking into consideration the facts and circumstances and without going into the merits of the claim projected by the petitioner either in his representation or in this writ petition, directs the 2nd respondent to cause inspection of the lands in S.Nos.408/9 and 408/13 after putting the petitioner and the private respondents and other person/s concerned, on notice and in the event of any encroachment being found on the public land, shall take appropriate action in accordance with law and complete the said exercise within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner ; private respondents and also to the person/s concerned.
- (7)The writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

AP
To

1.The District Revenue Officer
Collectorate, Namakkal,
Namakkal District.

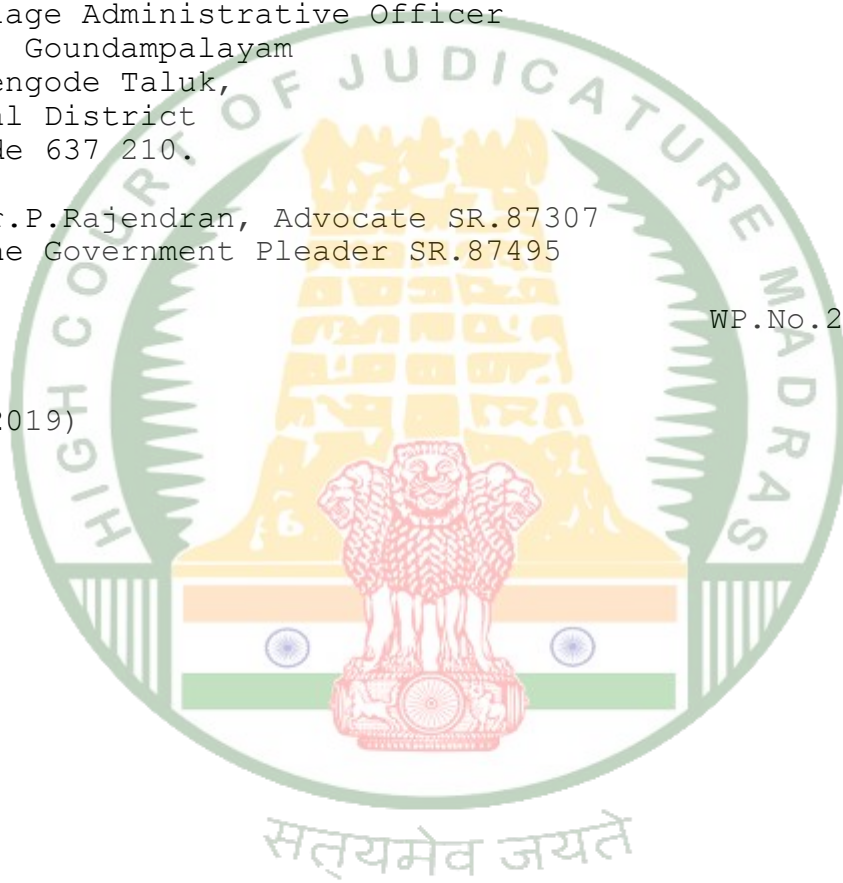
2.The Tahsildar
Tiruchengode-637211
Namakkal District.

3.The Village Administrative Officer
Patlur, Goundampalayam
Tiruchengode Taluk,
Namakkal District
Pin Code 637 210.

+1cc to Mr.P.Rajendran, Advocate SR.87307
+1cc to the Government Pleader SR.87495

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NRL (CO)
CB (29/11/2019)



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