

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Writ Petition No.34077 of 2019

R.Periyasamy
S/o.Ramasamy

... Petitioner

Vs

1.The District Collector,
Collectorate,
Salem District.

2.The District Revenue Officer,
Collectorate, Salem District.

3.The Revenue Divisional Officer,
Attur Taluk & Post,
Salem District.

4.G.Thangaraj
S/o.Ganapathi

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the third respondent herein to consider the petitioner's representation dated 29.07.2019 and comply with the order of this Court dated 15.04.2019 passed in W.P.No.4488 of 2019 and to remove the encroachment made by fourth respondent herein, which is situated in S.No.573/2 & 573/5, Paithur (North) Village, Attur Taluk, Salem District, within a time frame.

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For Petitioner : Mr.A.Rajakumar

For Respondents: Mr.V.Shanmugasundar
Special Government Pleader
[R1 to R3]

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

Petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus directing third respondent to consider the petitioner's representation dated 29.07.2019 and comply with the order of this Court dated 15.04.2019 passed in W.P.No.4488 of 2019 and to remove the encroachment made by fourth respondent herein, which is situated at S.No.573/2 & 573/5, Paithur (North) Village, Attur Taluk, Salem District, within a time frame.

2. Heard learned counsel for petitioner and learned Special Government Pleader appearing for respondents 1 to 3.

3. Though very many contentions have been raised in this Writ Petition with regard to encroachment made by fourth respondent, when the matter is taken up for consideration, learned Special Government Pleader submits that already Section 7 notice under the Land Encroachment Act has been issued to the fourth respondent and they have initiated action to remove the encroachment.

4. In the aforesaid circumstance, notice to fourth respondent is not required.

5. Considering the submissions made, this Court directs respondents 1 to 3 to expedite the process initiated by them to remove encroachment and complete the same within a period of six weeks from the date of receipt of this order.

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

सत्यमेव जयते Sd/-

Assistant Registrar(CS VI)

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Sub Assistant Registrar

To

1.The District Collector,
Collectorate,
Salem District.

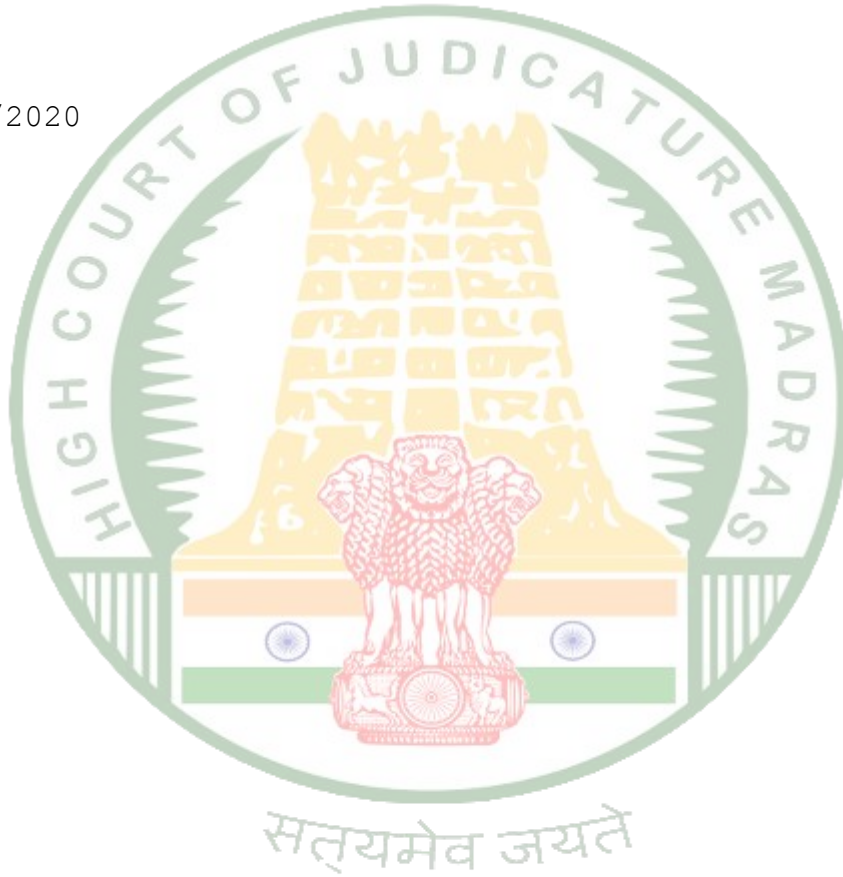
2.The District Revenue Officer,
Collectorate, Salem District.

3.The Revenue Divisional Officer,
Attur Taluk & Post,
Salem District.

+1cc to the Government Pleader Sr.103158

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pvs[col]
srg 13/02/2020



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