

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2019

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.33449 of 2018

S.Mayakrishnan ... Petitioner

-vs-

1.The District Collector and
Inspector of Panchayats,
Dharmapuri District.

2.The Tahsildhar,
Dharmapuri Taluk, Dharmapuri,
Dharmapuri District.

3.The Block Development Officer /
Commissioner, Dharmapuri
Panchayat Union, Dharmapuri,
Dharmapuri District.

4.Ramasamy ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 1 to 3 to remove the encroachments made by the 4th respondent in the Chinnakampatti Government Elementary School lands in S.No.950/14, situated at Chinnakampatti, Adagapadi Revenue Village, Dharmapuri Taluk, Dharmapuri District and to restore the school land forthwith.

For Petitioner : Mr.M.R.Jothimanian

For Respondents : Mr.V.Jayaprakash Narayanan
Govt. Pleader (i/c.) for RR 1 to 3
: No appearance for R-4

* * * * *

O R D E R

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

Heard the learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Government Pleader (i/c.), appearing for respondent nos.1 to 3.

2.The petitioner is seeking directions to respondent nos.1 to 3, i.e., The District Collector, The Tahsildar and The Block Development Officer, of Dharmapuri District, to remove the encroachment made by the 4th respondent in the Chinnakampatti Government Elementary School lands in S.No.950/14, situated at Chinnakampatti, Adagapadi Revenue Village, Dharmapuri Taluk, Dharmapuri District.

3.The learned Government Pleader (i/c.) has tendered the counter-affidavit of respondent no.2, i.e., Tahsildar, Dharmapuri Taluk, Dharmapuri District, wherein it is stated that the Surveyor has surveyed the said land in question and the survey report established that there is no encroachment in S.No.950/14 and the same is in S.F.No.951 which is classified as Path Poramboke Govt. land. It is further stated that after finding that the encroachment is in S.F.No.951, which is classified as Path Poramboke Govt. land as per Revenue records, notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905, has been issued by the 2nd respondent on 11.01.2019 to the 4th respondent. The learned Government Pleader (i/c.) submitted that thereafter they will proceed in accordance with law.

In view of the above facts, no further directions are necessary. The writ petition is, accordingly, closed. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

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Sub Assistant Registrar

To

1.The District Collector and
Inspector of Panchayats,
Dharmapuri District.

2.The Tahsildhar,
Dharmapuri Taluk, Dharmapuri,
Dharmapuri District.

3.The Block Development Officer /
Commissioner, Dharmapuri
Panchayat Union, Dhamapuri,
Dharmapuri District.

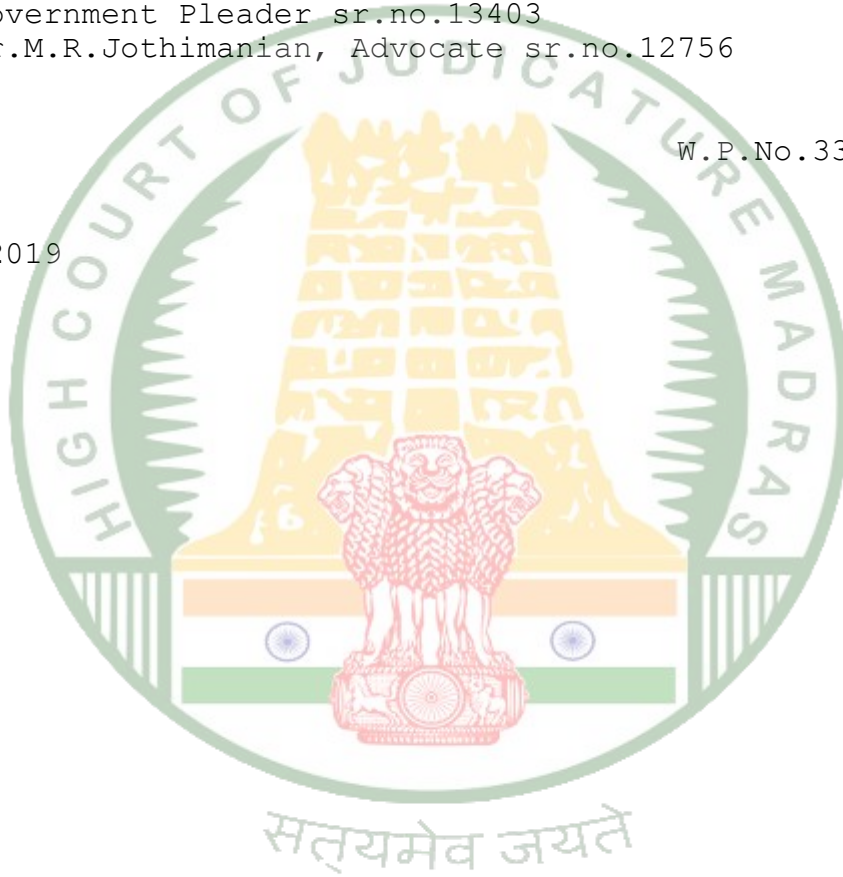
+1cc to Mr.V.Jayaprakash Narayanan, Advocate sr.no.12791

+1cc to Government Pleader sr.no.13403

+1cc to Mr.M.R.Jothimanian, Advocate sr.no.12756

W.P.No.33449 of 2018

mr(co)
nr 14/03/2019



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