

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2019

CORAM :

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

AND

The Hon'ble Mr.JUSTICE M.DURAI SWAMY

W.P. No.34680 of 2018
and W.M.P.No.40230 of 2018

E.Raja

.. Petitioner

-vs-

1. The District Collector,
District Collectorate Office,
Tiruvannamalai.

2. The Block Development Officer,
Arni Taluk Office, Arni,
Tiruvannamalai District.

3. Karthi

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 2nd respondent to remove the encroachment made by the 3rd respondent by putting tin sheet hut in Government Yeri Poramboke land bearing Survey No.95/1, situated in M.N.Patti Village, Tiruvannamalai District.

For Petitioner : Mr.V.Pavel

For Respondents : Mr.S.Kamalesh Kannan
Govt. Advocate for R-1
: Mr.V.Jayaprakash Narayanan
Govt. Pleader (i/c.) for R-2
: No appearance for R-3

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O R D E R

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

Heard the learned counsel for the petitioner, Mr.S.Kamalesh Kannan, learned Government Advocate for respondent no.1 and

Mr.V.Jayaprakash Narayanan, learned Government Pleader for respondent no.2.

2.The petitioner is seeking directions to the second respondent to remove the encroachment made by the 3rd respondent by putting a tin sheet hut in the Government Yeri Poramboke land bearing Survey No.95/1, situated in M.N.Patti Village, Tiruvannamalai District.

3.The learned Government Pleader (i/c.) has tendered the counter-affidavit of the second respondent wherein it is stated that the third respondent, Karthi, is not one of the encroachers on the said land, but one Ramadoss, Vijaya and K.Selvam are the encroachers on the said land. It is further stated that as far as the said encroachment by these three persons is concerned, the Tahsildar has directed the Block Development Officer to issue Form III notice to the said three persons. Accordingly, the Form III notices have been issued to the above said three persons on 08.02.2019 and further action will be taken for removal of the said encroachment duly following the process of law.

In view of the averments in the counter-affidavit of the second respondent, no further orders are necessary. The writ petition is closed. No costs. Consequently, W.M.P.No.40230 of 2018 is also closed.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//

sra
To

Sub Assistant Registrar

1. The District Collector,
District Collectorate Office,
Tiruvannamalai.

2. The Block Development Officer,
Arni Taluk Office, Arni,
Tiruvannamalai District.

+1 cc to Mr.V.Pavel, Advocate, S.R.No.31500

+1 cc to the Government Pleader, S.R.No.31962

W.P.No.34680 of 2018

MG(CO)
SSM(03/05/2019).