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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.06.2019

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P. (MD) No.14067 of 2019
and
W.M.P. (MD) No.10548 of 2019

Samraj

... Petitioner

Vs.

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Tahsildar,
Sankarankovil Taluk Office,
Tirunelveli.
3. The Block Development Officer,
Block Development Office,
Sankarankovil,
Tirunelveli District.

4. Susila

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 3 to take appropriate action against the fourth respondent removing encroachment at old Survey No.498/5, New Survey No.800/8, at the extent of 75 cents situated at Ilavankulam, Kalappakulam Panchayat, Sankarankovil Taluk, Tirunelveli District.

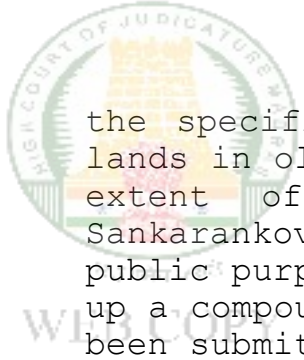
For Petitioner : Mr.M.Ramu

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader
for R.1 and R.2
: Mr.R.Murugan
for R.3

ORDER

(Order of the Court was made by M.SATHYANARAYANAN, J)

The petitioner claims to be a Public Interest Litigant and a resident of Ilavankulam, Kalappakulam Panchayat, Sankarankovil Taluk, Tirunelveli District and according to him, there are nearly 400 families belonging to the Scheduled Caste residing in the above said village and economically poor and also educationally. It is



the specific case of the petitioner that the Government Poromboke lands in old Survey No.498/5, new Survey No.800/8, admeasuring to an extent of 75 cents at Ilavankulam, Kalappakulam Panchayat, Sankarankovil Taluk, Tirunelveli District have been reserved for public purposes and the fourth respondent has made an attempt to put up a compound wall and in this regard, numerous representations have been submitted. It is also brought to the knowledge of this Court by the learned Counsel appearing for the petitioner that the third respondent, vide letter memo dated 12.05.2018 in Na.Ka.No.A3/2261/2018, has informed the petitioner that steps have been taken to survey and measure the lands. The grievance expressed by the learned Counsel appearing for the petitioner is that despite a lapse of one year, no further follow up action is taken up and the fourth respondent has put up the compound wall in the said land and tried to put up as if it is a private property and therefore, the petitioner is constrained to approach this Court by filing this Writ Petition.

2. Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, accepts notice on behalf of the respondents 1 and 2 and Mr.R.Murugan, learned Counsel accepts notice on behalf of the third respondent.

3. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits, directs the third respondent to inform the petitioner as to the further action taken infurtherence of his communication dated 12.05.2018, within a period of six weeks from the date of receipt of a copy of this order and depending upon the said communication, the petitioner as well as the fourth respondent are at liberty to work out their further remedies in accordance with law before the competent Forum.

4. The Writ Petition stands disposed of accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Tirunelveli District,Tirunelveli.

2. The Tahsildar,
<https://hcservices.ecourts.gov.in/hcservices/>
Sankarankovil Taluk Office,
Tirunelveli.



3. The Block Development Officer,
Block Development Office,
Sankarankovil,
Tirunelveli District.

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4. Susila,
D/o Chockalingam,
120, South Street, Ilavankulam,
Kalappakulam Panchayat,
Sankarankovil Taluk, Tirunelveli District.

+1 CC to Mr.M.RAMU, Advocate (SR-70763[F] dated 24/06/2019)

+1 CC to SPL GP (SR-71242[F] dated 25/06/2019)

W.P. (MD) No.14067 of 2019

24.06.2019

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