



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 09.04.2019

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P (MD) No.3314 of 2019
and
W.M.P (MD) No.2600 of 2019

Karuppanan

.. Petitioner

/Vs/

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus forbearing the respondents from taking any coercive steps for removing the trees and other crops in the petitioner's property comprised in S.F.Nos.293/3, 293/4, 293/5, 300/2, 300/3A, 337/2, 346/2A and 346/3, situated in Neelamalaikottai Village, Dindigul West Taluk, Dindigul District by considering the petitioner's representation, dated 07.02.2019.

(Prayer amended as per the order, dated 28.02.2019
made in W.M.P. (MD).No.3155 of 2019)

For Petitioner : Mr.S.Karthik

For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

(Order of this court was made by K.KALYANASUNDARAM, J.)

The Petitioner has come forward with this Writ Petition for issuance of Writ of Mandamus forbearing the respondents from taking any coercive steps for removing the trees and other crops in the petitioner's property in S.F.Nos.293/3, 293/4, 293/5, 300/2, 300/3A, 337/2, 346/2A and 346/3, situated in Neelamalaikottai Village, Dindigul West Taluk, Dindigul District by considering the petitioner's representation, dated 07.02.2019.

2.According to the petitioner, the lands referred supra having total extent of 4.78.50 hectares, belongs to him after his father's demise on 24.12.1999. The Petitioner would allege that on



04.02.2019, on instructions of the second respondent's official, the workers came into his patta lands for removing the crops. Immediately, he approached the respondents in person and also made representations. Since there was no response, the present Writ Petition.

3. Heard the submissions of Mr.S.Karthik, learned counsel appearing for the Petitioner and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader appearing for the respondents and perused the materials placed before this Court.

4. The learned Additional Government Pleader by producing the letter of the second respondent, dated 06.04.2019, would state that the lands covered in the Writ Petition belongs to the petitioner's father Kaliappa Gounder and the workers/employees were assigned the job to remove the encroachment in S.Nos.342 and 344. According to the learned Additional Government Pleader, no attempt was made by the respondents to interfere with the lands of the petitioner and no survey was also conducted on 04.02.2019 and hence, the apprehension of the Petitioner is unwarranted.

5. Recording the above-said submission of the learned Additional Government Pleader, this Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Crl.Side)

/TRUE COPY/

Sub Assistant Registrar(CS)

To

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

+1 CC to M/s.S.KARTHIK, Advocate (SR-60076[F] dated 10/04/2019)

+1 CC to M/s.SPL GP (SR-60090[F] dated 10/04/2019)

W.P(MD)No.3314 of 2019

SP/3P/5C