



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD) No.7608 of 2019

R.Chandrasekaran

... Petitioner

-vs-

1.The District Collector,
District Collector Office,
Madurai District.

2.The Tahsildar,
Tahsildar Office,
Vadpatti Taluk, Madurai District.

3.The Block Development Officer,
Block Development Office,
Vadipatti Taluk, Madurai District.

4.Pandi

5.Nanappan

6.Paramasivam

... Respondents

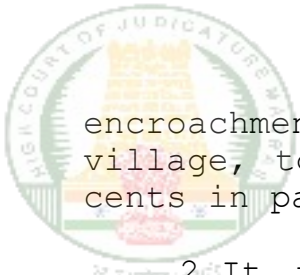
PRAYER: Petition is are filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment bearing S.Nos.648/1A to 648/1D of Punjai lands totally measuring an extent of 0.64.0 Ares i.e. 1 Acre 58 cents in patta bearing No.940 in the Government Patta premises illegally by the respondents 4 to 6 herein.

For Petitioner: Mr.S.Vikram

For Respondents : Mr.A.K.Baskarapandian, Spl.G.P.
for RR1 & 2
Mr.Mari Chelliah Prabhu, AGP for R3

O R D E R**[Order of the Court was made by S.S.SUNDAR, J.]**

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the respondents 1 to 3 to remove the



encroachment from punja lands in S.Nos.648/1A to 648/1D Semminipatti village, totally measuring an extent of 0.64.0 Ares i.e. 1 Acre 58 cents in patta bearing No.940 by the respondents 4 to 6 herein.

2.It is the case of the petitioner that in the petitioner's village, the 4th respondent, who is residing in Mandaikulam area and respondents 5 and 6 have encroached the Government land measuring about 1.59 acres in S.No.648/1A to 648/1D. It is stated that patta for land stand in the name of Village Pancayat Board and that it was allotted for public purposes. The petitioner has already submitted a representation on 22.01.2019 before the respondents 1 to 3. Since the respondents have not taken any steps to remove the encroachment, the above writ petition has been filed.

3.Though the writ petitioner seeks positive direction from this Court by stating that there is an encroachment to the extent of 1.58 Acres in a Government land, without going into the merits of the case, this Court is inclined to issue the following direction:

"The respondents 1 to 3 are directed to consider the representation of the petitioner dated 22.01.2019 and pass appropriate orders or take action towards the removal of encroachment, in case, the respondents 4 to 6 have encroached any portion of the Government land in S.No.648/1A to 648/1D in Semminipatti village, Katchakatti, Vadipatti Taluk, Madurai District, within a period of 6 weeks from the date of receipt of a copy of this order. Before any order is passed or action is taken, the respondents shall give sufficient opportunity to put forth their case. We do not express any opinion with regard to right or character of enjoyment of private respondents.

4.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

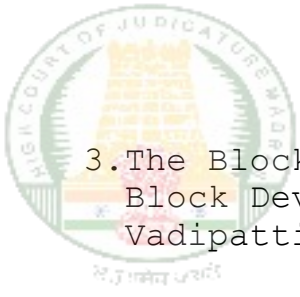
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Sub Assistant Registrar()

Arul
To

1.The District Collector,
District Collector Office,
Madurai District.

2.The Tahsildar,
<https://hcservices.ecourts.gov.in/hcservices/>
Tahsildar Office,
Vadpatti Taluk, Madurai District.



3.The Block Development Officer,
Block Development Office,
Vadipatti Taluk, Madurai District.

+1. C.C. to Mr.S.Vikram Advocate SR.No.58733

+1. C.C. to Speical Government Pleader SR.No.58553

W.P.(MD) No.7608 of 2019

01.04.2019

TK/SAR- /16.04.2019/3P/6C