



WEB COPY

W.P.(MD) No.16581 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.(MD) No.16581 of 2019

P.Radha Krishnan

... Petitioner

-vs-

- 1.The District Collector,
Office of the District Collector,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivagangai District.
- 3.The Tahsildar,
Office of the Tahsildar,
Ilayangudi Taluk,
Sivagangai District.
- 4.The Revenue Inspector,
Office of the Revenue Inspector,
Ilayangudi Taluk, Salaigiramam Group,
Sivagangai District.
- 5.The Village Administrative Officer,
Office of the Village Administrative Officer,
Salaigiramam Group, Ilayangudi Taluk,
Sivagangai District.

6.R.Marimuthu

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.1 to 5 to remove the encroachment made by the 6th respondent upon Survey Nos.399/1, 470/2, 471/1 and 471/2 at Salaigiramam Village, Ilayangudi Taluk, Sivagangai District in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner	:	Mr.S.Malaikani
For Respondents 1 to 5	:	Mr.A.Muthukaruppan
		Additional Government Pleader
For 6 th Respondent	:	No appearance



O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.S.Malaikani, learned counsel appearing for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondents 1 to 5.

2.By consent on either side, this Writ Petition is taken up for final hearing.

3.The petitioner has filed this Writ Petition, seeking for issuance of a Writ of Mandamus, directing the respondent Nos.1 to 5 to remove the encroachment made by the 6th respondent upon Survey Nos.399/1, 470/2, 471/1 and 471/2 at Salaigiramam Village, Ilayangudi Taluk, Sivagangai District in accordance with law within a time frame.

(*)"4.The learned Additional Government pleader appearing for the respondents 1 to 5 on instructions submitted that there is a clear encroachment made by the 6th respondent over and above the extent allotted to the 6th respondent under free house site patta. Further, it is submitted that the direction issued to the third respondent, the Tahsildar, Ilayangudi Taluk, Sivagangai District in W.P.(MD) No.14867 of 2019 has not been complied with in letter and spirit.

5.In view of the above, the Writ Petition is disposed of, directing the third respondent herein, the Tahsildar, Ilayangudi Taluk, Sivagangai District to comply with the direction issued in W.P.(MD) No.14867 of 2019 on 03.07.2019 after affording an opportunity of hearing to the 6th respondent and take appropriate action in accordance with law. In the light of the above, status quo granted in W.P.(MD) No.14867 of 2019 shall be maintained till an order is passed by the third respondent. No costs."

Sd/-
Assistant Registrar (CO)

(*)Amended as per Order of this
Hon'ble Court dated 18/10/2019

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar(CS)



To

To be substituted the Order already despatched on 26/09/2019.

- 1.The District Collector,
Office of the District Collector,
Sivagangai District.
 - 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sivagangai District.
 - 3.The Tahsildar,
Office of the Tahsildar,
Ilayangudi Taluk,
Sivagangai District.
 - 4.The Revenue Inspector,
Office of the Revenue Inspector,
Ilayangudi Taluk, Salaigiramam Group,
Sivagangai District.
 - 5.The Village Administrative Officer,
Office of the Village Administrative Officer,
Salaigiramam Group, Ilayangudi Taluk,
Sivagangai District.
- +1 CC to M/s.S.MALAIKANI, Advocate SR-92971.
+1 CC to M/s.T.Kumar, Advocate SR-93025.
+1 CC to M/s.R.Marimuthu, Party in Person SR-93024.
+1 CC to SPL GP SR-93242.

W.P. (MD) No.16581 of 2019
19.09.2019

sj

JM/26.09.2019/3P/8C
CS(05.11.2019) 4P 10C