



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.09.2019**

CORAM:

**THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE Mr.JUSTICE KRISHNAN RAMASAMY**

W.P. (MD).No.19457 of 2019

Nallenthiran

... Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Trichy District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Revenue Sub Division,
Musiri,
Trichy District.
- 3.The Revenue Thasildar,
Officer of the Revenue Tahsildar,
Dhuraiyur Taluk,
Trichy District.
- 4.The Block Development Officer,
Office of the Block Development Officer,
Dhuraiyur Panchayat Union,
Dhuraiyur,
Trichy District.

- 5.P.Ponnusamy
- 6.P.Subrayamani
- 7.A.Veerammal

... Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent Nos.1 to 4 to evict the respondent No.5,6 and 7 from the illegal encroachment in Government Poramboke land, public Road, water channel, public kappi road and Government land in Mutthaiyam Palayam Village Survey No.470 in Dhuraiyur Taluk, Trichy District on the basis of the order passed by the respondent No.3 in Na.Ka.A.1/6672/18 dated 06.02.2019 in accordance with law within the time stipulated by this Court.



For Petitioner : Mr.R.Alagumani
For R1 to R3 : Mr.A.Muthukaruppan
Additional Government Pleader
For R4 : Mr.R.Sethuraman
Special Government Pleader

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ORDER

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.R.Alagumani, learned counsel appearing for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondent Nos.1 to 3 and Mr.R.Sethuraman, learned Special Government Pleader appearing for the fourth respondent.

2.Since we are disposing of this writ petition by dispensing with the issue of notice to the respondent Nos.5 to 7, we do not propose to issue any positive direction.

3.According to the petitioner, the respondent Nos.5 to 7 have encroached the Government Poramboke Land, Public Road, Water Channel, Public Kappi Road and Government Land in Mutthiayam Palayam Village, Survey No.470 in Dhuraiyur Taluk, Trichy District. In this regard, a representation has been given to the authorities and the third respondent has passed an order on 06.02.2019 directing eviction to be carried out.

4.The petitioner case is that till date, no action has been initiated. It is not clear as to whether the respondent Nos.5 to 7 have challenged the order dated 06.02.2019. However, it is seen that a copy of the order has not been communicated to the respondent Nos.5 to 7.

5.Be that as it may, the respondent Nos.3 & 4 should ensure that the direction contained in the order dated 06.02.2019 is carried out in its letter and spirit by following the procedure established by law by issuing notice to the encroachers.

6.In the light of the above, we direct the respondents 3 and 4 to proceed further in pursuance to the proceedings dated 06.2.2019 after issuing notice to the respondents 5 to 7, if there is no other legal impediments.



7. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (crl.side)

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// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Collector,
Office of the District Collector,
Trichy District.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Revenue Sub Division,
Musiri,
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3. The Revenue Thasildar,
Officer of the Revenue Tahsildar,
Dhuraiyur Taluk,
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4. The Block Development Officer,
Office of the Block Development Officer,
Dhuraiyur Panchayat Union,
Dhuraiyur,
Trichy District.

+1 CC to Mr.R. ALAGUMANI, Advocate (SR-86206[F] dated 10/09/2019)
+1 CC to Spl.GP (SR-86155[F] dated 10/09/2019)

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09.09.2019

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