



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P(MD)No.19854 of 2019

P.Kannathasan

.. Petitioner

Vs.

1.The District Collector,
Trichy, Trichy District.

2.The Tahsildar,
Marungapuri Taluk,
Trichy District.

3.The Block Development Officer,
Marungapuri Panchayat Union,
Trichy District.

4.The Special Officer,
Kanjanyakanpatti Panchayat,
Office at Marungapuri Panchayat Union,
Trichy District.

5.Chinnaiah

6.Subbaiah

7.Sooran @ Vilavan

8.Kulanthaivel

9.Samiappan @ Salukkani

10.Palanisamy

11.Palanisamy Gownder

12.Ravindraselvam

13.Muthu

14.Thaila Periyasamy

15.Nagaraj

16.Chinnathambi

17.Perumal

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 17 in Veerasamuthirakulam at S.F.No.157/1 and 157/2 Kanjanyakanpatti Village, Marungapuri Taluk, Trichy District within time frame.



For Petitioner
For R1 and R2
For R3 and R4

: Mr.AN.Ranamanathan
: Mr.A.Muthukaruppan
Additional Government Pleader
: Mr.A.Thiyagarajan
Government Advocate

WEB COPY

ORDER

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

Heard Mr.AN.Ranamanathan, learned counsel for the petitioner, Mr.A.Muthukaruppan, learned Additional Government Pleader for the first and second respondents and Mr.A.Thiyagarajan, learned Government Advocate for the third and fourth respondents. By consent of both parties, this writ petition is taken up for final disposal.

2. The petitioner alleges that the private respondents 5 to 17 have encroached into the land classified as Government Poromboke and part of the land is Tank used for agricultural purpose. The representation sent by the petitioner was taken note by the second respondent and forwarded to the Revenue Inspector for taking appropriate action by inspecting the property.

3. The learned Additional Government Pleader, who accepts notice for the respondents 1 and 2, submitted that he has received oral instructions that the Revenue Inspector had inspected the area and found that four houses have been constructed in the Government land.

4. If such is the case, then appropriate action should be taken to remove the encroachment, especially when it is stated that the part of the encroachment is in the Tank and the poromoboke land adjoining the tank. Hence, the respondents 2 and 3 are directed to take appropriate action after issuing notice to the respondents 5 to 17 and after affording reasonable opportunity to place their objections, if any.

5. The above direction shall be complied with within a period of eight weeks from the date of receipt of a copy of this order. This writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Collector,
Trichy, Trichy District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Tahsildar,
Marungapuri Taluk,
Trichy District.

3.The Block Development Officer,
Marungapuri Panchayat Union,
Trichy District.

4.The Special Officer,
Kanjayanayakanpatti Panchayat,
Office at Marungapuri Panchayat Union,
Trichy District.

+1 CC to M/s.SPL GP (SR-87552[F] dated 18/09/2019)

+1 CC to M/s.AN.RAMANATHAN, Advocate (SR-87711[F] dated
19/09/2019)

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JM/09.10.2019/3P/7C