



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **23.09.2019**

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE THARANI

W.P. (MD)No.20442 of 2019

V.Marikannan

... Petitioner

Vs.

1.The District Collector,
Dindigul District.

2.The Tahsildar,
Natham, Dindigul District.

3.P.Perumal

4.V.Manamunthiri

5.P.Alagan

..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 and 2 to remove the encroachments made by the respondents 3 to 5 in Survey Nos.7, 8, 9, 40/5, 41/4, 42/5, 50/1, 54, 57, 62, 64, 67 and 69 situated in Kasampatty, Reddiyapatty Village, Natham Taluk, Dindigul District.

For Petitioner : Mr.S.Arivalagan

For R1 and R2 : Mr.A.Muthukaruppan

Additional Government Pleader

ORDER

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

Heard Mr.S.Arivalagan, learned counsel for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader for the first and second respondents. By consent of both parties, this writ petition is taken up for final disposal.

2. The petitioner by way of this writ petition, seeks for removal of encroachment in Survey Nos.7, 8, 9, 40/5, 41/4, 42/5, 50/1, 54, 57, 62, 64, 67 and 69 situated in Kasampatty, Reddiyapatty Village, Natham Taluk, Dindigul District.

3. The learned Additional Government Pleader submitted that only few survey numbers had been classified as Paattai and Busanai Paattai. He further submitted that if there is any



encroachment, action will be initiated.

4. In the light of the above, if there is any encroachment, all the encroachers should be put on notice, then only action should be initiated. Since we dispose of the writ petition, without notice to the respondents 3 and 4, we do not propose to issue any positive direction in this writ petition. However, we direct the second respondent to proceed in accordance with law, if encroachment is found.

5. With the above direction, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The District Collector,
Dindigul District.

2.The Tahsildar,
Natham, Dindigul District.

+1 CC to M/s.S.ARIVALAGAN, Advocate (SR-89076[F] dated 25/09/2019)

ORDER MADE IN
W.P. (MD)No.20442 of 2019
23.09.2019

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