



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2019

CORAM:

THE HONOURABLE **MR.JUSTICE T.S.SIVAGNANAM**

and

THE HONOURABLE **MRS.JUSTICE R.THARANI**

Writ Petition (MD).No.25081 of 2019

Rajendran

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Sivagangai District.

2.The Sub Collector,
Devakottai,
Sivagangai District.

3.The Tahsildar,
Karaikudi Taluk Office,
Sivagangai District.

4.The Block Development Officer,
Sakkattai Panchayat Union Office,
Karaikudi Taluk,
Sivagangai District.

5.N.Sathaiah

6.S.Vellaiyammal

7.Pandiya Lakshmi

8.S.Kalyani

9.C.Sathaiah

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 to 4 to initiate appropriate legal proceedings against the encroachers including the respondents 5 to 9 and others to remove the encroachments made in Kamalan Kanmai with an extent of 72.44 acres which is situated in Survey Nos.207/1, 207/2, 224 Periyakottai Village, Karaikudi Taluk, Sivagangai District within a stipulated time that may be fixed by this Court.

For Petitioner

: Mr.R.Karunanithi

For Respondents

: Mr.S.Angappan

Government Advocate (for R1 to R3)

Mr.M.Murugan

Government Advocate (for R4)



O R D E R

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

Heard Mr.R.Karunanithi, learned counsel appearing for the petitioner, Mr.S.Angappan, learned Government Advocate accepts notice for the respondents 1 to 3 and Mr.M.Murugan, learned Government Advocate for the fourth respondent.

2.The writ petition has been filed to direct the respondents 1 to 4 to initiate appropriate legal proceedings against the encroachers including the respondents 5 to 9 and others to remove the encroachments made in Kamalan Kanmai with an extent of 72.44 acres which is situated in Survey Nos.207/1, 207/2, 224 Periyakottai Village, Karaikudi Taluk, Sivagangai District.

3.From the representation given by the petitioner it is seen that very recently the official respondents have received the representation and without even giving any reasonable time, the petitioner approached this Court. In the representation, several survey numbers have been mentioned to have been encroached, however in the writ petition the petitioner has restricted two and three survey numbers. In any event, since the representation has been given only in October, reasonable time should be granted to the authority to take action and at this juncture, we cannot issue any positive direction. Hence, the writ petition is disposed of by directing the concerned authority to take note of the representation of the petitioner and take action in accordance with law, after issuing notice to all concerned.

4.Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar(CS)

Rmk

To

1.The District Collector,
District Collector Office,
Sivagangai District.

2.The Sub Collector,
Devakottai,
Sivagangai District.



3.The Tahsildar,
Karaikudi Taluk Office,
Sivagangai District.

4.The Block Development Officer,
Sakkattai Panchayat Union Office,
Karaikudi Taluk,
Sivagangai District.

+1 CC to Mr.R. KARUNANIDHI, Advocate (SR-101863[F]dated
27/11/2019)

+1 CC to SPL GP (SR-102415[F] dated 28/11/2019)

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VB(18.12.2019) 3P 7C