

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2020

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH
AND
THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No. 6070 of 2020

V.Murugan

... Petitioner

Vs

1. The District Collector,
Salem District, District Collectorate, Fort,
Salem.
2. The District Revenue Officer,
Salem District,
District Collectorate, Fort,
Salem.
3. The Revenue Divisional Officer,
Attur Sub-Division,
Attur, Salem District.
4. The Tahsildar,
Pethanaickenpalayam Taluk,
Pethanaickenpalayam,
Salem District.
5. The Revenue Inspector,
Yethapur,
Pethanaickenpalayam Taluk,
Salem District.
6. The Village Administrative Officer,
Kottavadi Village,
Pethanaickenpalayam Taluk,
Salem District.

- 7.V.Semmalai
- 8.S.Sakthivel
- 9.R.Madheswaran
- 10.K.Veeraraj
- 11.K.L.perumal
- 12.S.Bala Gajendran

13.R.Thavamani
14.P.Muthu
15.P.Govindan
16.C.Venkatachalam
17.A.Velmurugan

... Respondents

Prayer : Writ Petition filed under 226 of the Constitution of India to issue a writ of mandamus directing respondents 1 to 6 to remove the entire encroachments on the land classified as 'Odai' comprised in Survey No.45 in belur Karadipatti Village, Kottavadi Post, Pethanaickenpalalyam Taluk, Salem District within a reasonable period.

For Petitioner : Mr.R.Neelakandan

For Respondents : Mr.R.Vijayakumar, AGP
for R1 to R6

ORDER

(Order of the Court was made by M.M.SUNDRESH,J)

The petitioner has filed this writ petition seeking action against the encroachment made by the private respondents, namely, respondents 1 to 17.

2. The learned Additional Government Pleader appearing for respondents 1 to 6 would submit that already notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 have been issued followed by the final notice under Section 6 of the Tamil Nadu Land Encroachment Act. The notice issued under Section 6 of the Tamil Nadu Land Encroachment Act have been issued on 20.02.2019. Secondly, the eviction could not be carried out in view of the parliamentary elections held. It is his further submission that the appropriate action would be taken to remove the encroachment made.

3. In such view of the matter, we direct respondents 1 to 6 to do the needful by taking note of the follow up action pursuant to the notice issued under Section 6 of the Tamil Nadu Land Encroachment Act. We further make it clear that our order will not have any bar if the private respondents have already filed appeals or any other proceedings to get appropriate interim orders. Similarly, this order will not stand in the way of the private respondents working out the remedy in the manner known to law, if so advised.

Writ Petition stands disposed of accordingly. No costs.

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

ssm

To

1. The District Collector,
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Salem.
2. The District Revenue Officer,
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Pethanaickenpalayam Taluk,
Salem District.
6. The Village Administrative Officer,
Kottavadi Village,
Pethanaickenpalayam Taluk,
Salem District.

+1 CC to The Govt. Pleader sr 21690.

W.P.No.6070 of 2020

RGN (CO)
SP (29/07/2020)