

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No.12288 of 2020

D.Sekar

.. Petitioner

vs

1. The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
2. The District Collector,
Salem District,
Salem.
3. The District Revenue Officer,
Salem District, Salem.
4. The Revenue Divisional Officer,
Attur, Salem District.
5. The District Adi Dravidar Welfare Officer,
Salem District, Salem.
6. The Special Tahsildar (ADW),
Attur Taluk, Salem District.
7. Parvathi

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents 1 to 6 to remove the encroachments made by the 7th respondent in the lands earmarked for common purpose/public purpose in the Adi Dravidar Welfare layout in S.No.147/1A Thulukanur Village, Attur Taluk, Salem District by cancelling the patta if any granted in the land earmarked for public purpose and consequently directing the Official Respondents to utilize the land meant for public purpose by implementing the Adi Dravidar Welfare Schemes of the Government for construction of toilets and other facilities etc., based on the representation submitted by the petitioner dated 08.06.2020 and 27.07.2020, within a time frame to be fixed by this Court.

For Petitioner .. Mr.G.Sankaran
For Respondents .. Mr.G.K.Muthukumar,
Spl. Govt. Pleader for R1 to R6

ORDER

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

This writ petition has been filed by the petitioner seeking a direction to respondents 1 to 6 to remove the encroachment stated to have been made by the seventh respondent in a place earmarked for the public purpose.

2. Though the learned counsel appearing for the petitioner submitted that the encroachment has been made by the seventh respondent in the place, which has been earmarked for the public purpose, the learned Special Government Pleader, on instructions, submitted that the pattas have been given in favour of various individuals from the year 1995 to 2011. Action is being taken on the representation of the petitioner for the cancellation of patta for about 27 persons. The District Collector, Salem/second respondent has directed the fourth respondent in O.Mu.13534/2020/K4 dated 04.07.2020 to take appropriate action and inform the same to the petitioner. The aforesaid proceedings is pending consideration with the fourth respondent.

3. In view of the above, we direct the fourth respondent to act impursuant to the communication of the second respondent dated 04.07.2020 by following the due procedure within a period of eight weeks from the date of receipt of a copy of this order and inform the same to the petitioner as well. However, we make it clear that the aforesaid compliance can be made by the fourth respondent on his own or by getting it done through fifth respondent or sixth respondent, as the case may be.

4. The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
2. The District Collector,
Salem District, Salem.
3. The District Revenue Officer,
Salem District, Salem.
4. The Revenue Divisional Officer,
Attur, Salem District.
5. The District Adi Dravidar Welfare Officer,
Salem District, Salem.
6. The Special Tahsildar (ADW),
Attur Taluk, Salem District.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.29396

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KK(CO)
RV(21/09/2020)



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