

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2020

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Writ Petition No.17859 of 2019

K.Krishnamoorthy

... Petitioner

Vs

1. The District Collector,
District Collectorate,
Cuddalore.
2. The District Revenue Officer,
Cuddalore District,
Cuddalore.
3. The Sub Collector,
Vriddhachalam Division,
Vriddhachalam,
Cuddalore District.
4. The Tahsildar,
Veppur Taluk,
Veppur,
Cuddalore District.
5. The Block Development Officer,
Mangalore Panchayat Union,
Mangalore, Veppur Taluk,
Cuddalore District.
6. R.Nedunchelian
7. R.Selvaraj
8. C.Manivannan
9. Banumathy

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 5 to take necessary action against the respondents 6 to 9 and to remove the encroachment in the Government Pathway/Road in S.Nos.30/3 and 31/3 measuring an extent of 28 cents Orangur Village, Veppur Taluk, Cuddalore District in the light of the letter dated 05.04.2018 and 12.09.2018 of the 4th respondent within a stipulated time.

For Petitioner : Mr.K.Christopher

For Respondents : Mr.V.Shanmuga Sundar
Spl. Govt. Pleader for R1 to R5
No appearance for R6 to R9

O R D E R

[Order of this Court was made by R.SUBBIAH, J]

Petitioner has filed this Writ Petition seeking issuance of a Writ of Mandamus to direct the respondents 1 to 5 to take necessary action against the respondents 6 to 9 and to remove the encroachment in the Government Pathway/Road in S.Nos.30/3 and 31/3 measuring an extent of 28 cents Orangur Village, Veppur Taluk, Cuddalore District in the light of the letter dated 05.04.2018 and 12.09.2018 of the 4th respondent within a stipulated time.

2. The learned counsel for the petitioner would state that despite repeated representations since 2017, the official respondents have not responded by removing the encroachment.

3. Mr.V.Shanmuga Sundar, the learned Special Government Pleader would state that the fourth respondent has already issued a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred as Act) and that based on the reply of the encroachers further action will be taken to remove the encroachments following due process of law.

4. Considering the grievance of the petitioner and in the light of the submissions made by the learned Special Government Pleader, the fourth respondent is directed to pass appropriate orders on the proceedings initiated under Section 7 of the Act in accordance with law, after providing an opportunity of personal hearing to all the necessary parties. If the authorities find any encroachment, they shall proceed with the same and remove the encroachment. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction the writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

dpq

To

1. The District Collector,
District Collectorate,
Cuddalore.
2. The District Revenue Officer,
Cuddalore District,
Cuddalore.
3. The Sub Collector,
Vriddhachalam Division,
Vriddhachalam,
Cuddalore District.
4. The Tahsildar,
Veppur Taluk,
Veppur,
Cuddalore District.
5. The Block Development Officer,
Mangalore Panchayat Union,
Mangalore,
Veppur Taluk,
Cuddalore District.

+1cc to Mr.N.Naganathan, Advocate, SR.No.7297.
+1cc to Government Pleader, SR.No.7657.

PVS (CO)
CSR: 10.03.2020

Writ Petition No.17859 of 2019