



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD) .No.12527 of 2020

WEB COPY

N.Renugopal

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Palani,
Dindigul District.

3.The Tahsildar,
Guijiliamparai Taluk,
Dindigul District.

4.The Block Development Officer,
Guijiliamparai Taluk,
Dindigul District.

5.Karuppannan

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by the fifth respondent in S.F.No.926-27 situated at Vellodu Village, Guijiliamparai Taluk, Dindigul District which is classified as "Theru Poramboke", based upon the representations made by the petitioner, on 04.09.2020.

For Petitioner

: Mr.S.Gokulraj

For R1 to R4

: Mr.B.Bagavathi,

Government Advocate

O R D E R

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

The petitioner is the resident of Notchipatti, R.Vellodu Village, Guijiliamparai Taluk, Dindigul District and according to him, he owns agricultural land in Survey No.860 in the said village and he used Natham pathway in Survey No.926/27 as access to the said land. The specific case of the petitioner is that the private respondents had caused encroachment upon the said pathway in the form of obstruction and as such, they deny access to his land and the repeated representations submitted in this regard to the concerned official respondents did not evoke any kind of response



and therefore, he is constrained to approach this Court by filing this writ petition.

2. Heard the submission of Mr.S.Gokul, learned counsel appearing for the petitioner and Mr.B.Bagavathi, learned Government Advocate appearing for the respondents 1 to 4.

3. Though the petitioner prays for the larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, either in his representation or in this writ petition, directs the respondents 3 and 4 to cause joint inspection of the land in Survey No.926/27, R.Vellodu Village, Gujiliamparai Taluk, Dindigul District, with the aid of relevant revenue records and if the result of the inspection shows any encroachment or unauthorised construction, shall take appropriate action in accordance with law, to remove the encroachment, after putting the encroachers on notice and also by adhering to the principles of natural justice and complete the said exercise within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the writ petitioner as well as to the persons concerned, including the fifth respondent.

4. This Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

akv

Note: In view of the present lock down owing to COVID -19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Palani,
Dindigul District.



3.The Tahsildar,
Guijiliamparai Taluk,
Dindigul District.

4.The Block Development Officer,
Guijiliamparai Taluk,
Dindigul District.

+1 CC to M/s.SPL GP(SR-18121[F] dated 25/09/2020)

+1 CC to M/s.S. GOKULRAJ, Advocate (SR-18161[F] dated 28/09/2020)

W.P. (MD) .No.12527 of 2020
24.09.2020

SJ(CO)
KB(07.10.2020) 3P 7C