



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE **N.KIRUBAKARAN**

AND

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P. (MD) No.16100 of 2020

WEB COPY

K.Chandra Mohan : Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Thanjavur District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Sethubavasathiram Union,
Thanjavur District.

3.The Tahsildar,
Office of the Tahsildar,
Peravurani Taluk, Thanjavur District.

4.The Village Administrative Officer,
Office of the Village Administrative Officer,
No.53, Veeriyankottai - I,
Peravurani Taluk, Thanjavur District.

5.P.Selvarasu

6.R.Neelakandan

7.V.Ramalingam : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 7 upon Survey No.235 (pond) at Mudachikadu Village, Mudachikadu Post, Peravurani Taluk, Thanjavur District and to ensure the public pathway on the pool shore by considering the petitioner's representation dated 08.10.2020, within a stipulated time limit.

For Petitioner : Mr.I.Sabeer Mohamed

For Respondents : Mr.R.Murugan,
Additional Government Pleader
for R.1 to R.4

ORDER

(Order of the Court was made by **N.KIRUBAKARAN, J.**)

The petitioner has filed this writ petition seeking a Writ of Mandamus directing the official respondents to remove the



encroachment made by the private respondents in S.No.235 (pond) at Mudachikadu Village, Mudachikadu Post, Peravurani Taluk, Thanjavur District.

2. According to the petitioner, the private respondents are encroaching upon the Government Poramboke land by putting up additional construction on the side of the existing Meenakshi Amman Temple. In this regard, he has given a representation to the authorities on 08.10.2020. Alleging inaction on the part of the authorities, he has filed the present writ petition.

3. Mr.R.Murugan, learned Additional Government Pleader takes notice for the respondents 1 to 4 and on instructions, would submit that after the receipt of the representation from the petitioner, the authorities inspected the spot on 29.10.2020 and found that the private respondents are trying to put up additional construction for the purpose of expanding the temple in the Government land. To this effect, he has also produced a communication addressed to him by the third respondent in Na.Ka.No.2000/2020/Aa2, dated 17.11.2020.

4. Notice to the private respondents is dispensed with, since this Court is about to direct the official respondents to take appropriate action, only after putting the private respondents on notice.

5. When the authorities found that there is an encroachment or an attempt to encroach the Government Poramboke land, it is their bounden duty to remove / prevent the same. Therefore, the superstructure, if any, constructed in the subject place by encroaching upon the Government Poramboke is required to be removed. But, before doing so, the official respondents shall issue notice to all the parties, including the petitioner as well as the private respondents herein and after affording reasonable opportunity of personal hearing, they shall pass appropriate orders to remove the encroachment. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition stands disposed of. No costs.

Sd/-

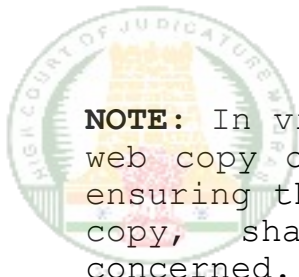
Assistant Registrar (CS-II)

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/ /2020

Sub Assistant Registrar(CS)

gk



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.

WEB COPY

To

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Peravurani Taluk,
Thanjavur District.

+1 CC to M/s.GP (SR-22363[F] dated 20/11/2020)

+1 CC to M/s.I.SABEER MOHAMED, Advocate (SR-22097[F] dated 19/11/2020)

W.P. (MD) No.16100 of 2020
18.11.2020

CK(CO)

AP(26/11/2020) 3P 7C