



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE **N.KIRUBAKARAN**
AND
THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P. (MD)No.16894 of 2020

R.Muthumurugan

: Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Tahsildar,
Ilaiyangudi Taluk,
Sivagangai District.
- 3.The Block Development Officer,
Ilaiyankudi Taluk,
Sivagangai District.
- 4.K.V.Muniyandi
- 5.K.Muniyandi @ Pappa Muniyandi
- 6.K.Velu
- 7.K.Koolu

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the respondents 1 to 3 to remove the illegal encroachments of the respondents 4 to 7 in public pathway and Poramboke lands in Survey Nos.167/2, 3, 4, 5 and 6 and 275/12, situated in Indangulam Village, Karaikulam Group, Ilaiyangudi Taluk, Sivagangai District, on the basis of the petitioner's representation, dated 22.09.2020.

For Petitioner: Mr.S.Mahendrapathy

For R1 to R3 : Mr.R.Murugan
Additional Government Pleader



ORDER

(Order of the Court was made by **B.PUGALENDHI, J.**)

The petitioner has filed this writ petition as a *pro bono litigation* to direct the respondents 1 to 3 to remove the illegal encroachments of the respondents 4 to 7 in public pathway and Poramboke lands in Survey Nos.167/2, 3, 4, 5 and 6 and 275/12, situated in Indangulam Village, Karaikulam Group, Ilaiyangudi Taluk, Sivagangai District.

2. According to the petitioner, he is a permanent resident of Indanglam, Ilaiyangudi Taluk, Sivagangai District and working as a cook in a Hotel at Chennai. His case is that the respondents 4 to 7 have encroached upon public pathway and poramboke lands in Survey Nos.167/2, 3, 4, 5 and 6 and 275/12, situated in Indangulam Village, Karaikulam Group, Ilaiyangudi Taluk, Sivagangai District. Therefore, he along with other villagers has made a representation to the authorities in this regard and alleging inaction on their part, he has moved this writ petition.

3. Mr.R.Murugan, learned Additional Government Pleader takes notice for the respondents 1 to 3. In view of the order going to be passed in this Writ Petition, notice to the respondents 4 to 7 is dispensed with.

4. The learned Special Government Pleader appearing for the respondents 1 to 5, on instructions, would submit that the official respondents have issued notice to the encroachers and action has already been initiated by them. In support of his submission, he has also produced the report of the Tahsildar, Ilaiyangudi in Roc.A1/532/2020 dated 25.11.2020

5. In view of the submission made by the learned Additional Government Pleader, appearing for the respondents 1 to 3, this Writ Petition is disposed of with a direction to the respondents 1 to 3 to take appropriate action in accordance with law after affording opportunity of hearing to the respondents 4 to 7. No costs.

Sd/-

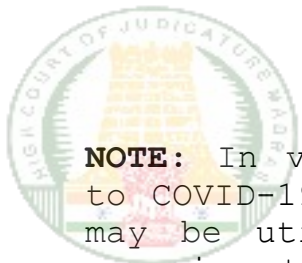
Assistant Registrar (P & A)

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/ /2020

Sub Assistant Registrar(CS)

sj



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,
Sivagangai District,
Sivagangai.
- 2.The Tahsildar,
Ilaiyangudi Taluk,
Sivagangai District.
- 3.The Block Development Officer,
Ilaiyankudi Taluk,
Sivagangai District.

+1 CC to SGP (SR-23341[F] dated 30/11/2020)

W.P. (MD) No.16894 of 2020

27.11.2020

SE (CO)

NR (16/12/2020) 3P : 5C