



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 07.12.2020

CORAM

THE HON'BLE Mr. JUSTICE N.KIRUBAKARAN

AND

THE HON'BLE Mr. JUSTICE B.PUGALENDHI

W.P. (MD) No.17643 of 2020

WEB COPY

G.Kanagaraj

.. Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Revenue Divisional Officer,
RDO Office,
Kovilpatti,
Thoothukudi District.

3.The Tahsildar,
Kovilpatti,
Thoothukudi District.

4.The Block Development Officer,
Block Development Office (Panchayats),
Kovilpatti,
Thoothukudi District.

5.The Village Administrative Officer,
Illuppaioorani Panchayat,
Kovilpatti,
Thoothukudi District.

6.N.Palanichamy

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 5 herein to remove the encroachment made by the 6th respondent in Survey No.783/26, in Thomas Nagar, Illuppaioorani, Kovilpatti Taluk, Thoothukudi District, by considering the petitioner's representation, dated 07.10.2020.

For Petitioner : Mr.K.Muthurakkan

For R1, R2, R3 and R5 : Mr.K.Mu.Muthu
Additional Government Pleader

For R4 : Mr.D.Muruganantham
Additional Government Pleader



ORDER

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

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 5 herein to remove the encroachment made by the 6th respondent in Survey No.783/26, Thomas Nagar, Illuppaioorani, Kovilpatti Taluk, Thoothukudi District, by considering the petitioner's representation, dated 07.10.2020.

2.Heard Mr.K.Muthurakkan, learned counsel appearing for the petitioner and Mr.K.Mu.Muthu, learned Additional Government Pleader appearing for the respondents 1 to 3 and 5 and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the fourth respondent.

3.It is stated that Survey No.783/26, situated at Thomas Nagar, Illuppaioorani, Kovilpatti Taluk, Thoothukudi District, has been encroached upon by a few persons. In this regard, several representations have been given by the petitioner and the last representation was made on 07.10.2010, but so far, no action has been taken and therefore, the petitioner is before this Court with the present Writ Petition.

4.Mr.K.Mu.Muthu, learned Additional Government Pleader appearing for the respondents 1 to 3 and 5 would submit that already a survey has been conducted and encroachers have been identified and the same has been informed by the third respondent, vide communication, dated 28.08.2020. In this regard, a notice has been issued to all the encroachers by the President, Illuppaiyurani Panchayat, on 02.12.2020, calling upon the encroachers to vacate the premises.

5.In view of the above, the official respondents are directed to go ahead with the exercise of removing the encroachers as per law.

6.Since action is being taken, the grievance of the petitioner has been addressed. Therefore, this Writ Petition is closed. No costs.

Sd/-

Assistant Registrar (AS)

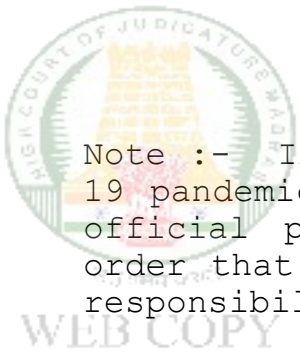
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Sub Assistant Registrar(CS)

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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,
Thoothukudi District,
Thoothukudi.
- 2.The Revenue Divisional Officer,
RDO Office,
Kovilpatti,
Thoothukudi District.
- 3.The Tahsildar,
Kovilpatti,
Thoothukudi District.
- 4.The Block Development Officer,
Block Development Office (Panchayats),
Kovilpatti,
Thoothukudi District.
- 5.The Village Administrative Officer,
Illuppaioorani Panchayat,
Kovilpatti,
Thoothukudi District.

+1 CC to M/s.K.MUTHURAKKAN, Advocate (SR-24315[F] dated 08/12/2020)

+1 CC to SGP (SR-24372[F] dated 08/12/2020)

W.P. (MD) No.17643 of 2020

07.12.2020

SVN(CO)

NR (16/12/2020) 3P : 8C