

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.01.2021

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
AND
THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

WP.No.1339/2021
[Video Conferencing]

S.Thillaiyarasi .. Petitioner
Versus

- 1.The District Collector cum
Krishnagiri District Integrated Project Officer
Krishnagiri District, Krishnagiri.
- 2.The Assistant Director of Panchayats
Krishnagiri District, Krishnagiri.
- 3.The Tasildar
Krishnagiri Taluk, Krishnagiri.
- 4.The Block Development Officer
Veppanappalli Panchayat Union
Veppanappalli, Krishnagiri Taluk & District.
- 5.The Inspector of Police
Veppanappalli Police Station
Krishnagiri District.
- 6.The Secretary
Kodipalli village Panchayat
Veppanappalli Panchayat Union
Krishnagiri Taluk & District 635 115.

7.C.P.Saravanan

8.Dhandapani .. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 5 to remove the encroachment made by the respondents 7 and 8 on the 'Amma Ilaignar Vilaittu Maiyam' comprised in S.No.247 [Actual Survey No.245], situate at Seelaepalli Village, Kodipalli Post, Kodipalli Village Panchayat, Veppanappalli Panchayat Union, Krishnagiri Taluk and District established under the Mahatma Gandhi National Rural Employment Guarantee Scheme [MGNREGS] based on the order of the 1st respondent dated 08.11.2019 in Na.Ka.No.5158/2019/R6 forthwith.

For Petitioner : Mr.C.Prabakaran

For RR 1 to 6 : Mr.R.Vijayakumar
Additional Government Pleader
for R1 to R6

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

- (1) By consent, the writ petition is taken up for final disposal and is disposed of by this order.
- (2) Mr.R.Vijayakumar, learned Additional Government Pleader accepts notice on behalf of the respondents 1 to 6.
- (3) The petitioner, who is the President of the Local Body of Kodipalli Village, Veppanappalli Panchayat Union, Krishnagiri Taluk and District, came forward to file this writ petition alleging among other things that S.No.247 is classified as "Government Poramboke" and in public interest, steps are being taken to establish a playground and the private respondents in connivance with somebody, are attempting to annexe the said poramboke lands for the purpose of forming an unapproved layout for the purpose of housing colony and the repeated representations submitted in this regard, are yet to invoke any kind of response and therefore, the petitioner is constrained to approach this Court, by filing the present writ petition.
- (4) The learned counsel for the petitioner has drawn the attention of this Court to the Communication of the Joint Director/Project Director of DRDA, Krishnagiri, addressed to the Zonal Officer / Secretary of DRDA, Krishnagiri, Veppanappalli Zone as well as to the Block Development Officer, Veppanappalli Panchayat Union dated 08.10.2020 in Na.Ka.No.322/2019/R8 and would submit that despite a direction has been given to the said officials to cause inspection and submit a report, nothing is moving forward and taking advantage of the same, the 7th respondent, who is none else than the Vice President of the Local Body, along with the private persons, continue to indulge in illegalities and hence, prays for appropriate orders.
- (5) The learned Additional Government Pleader appearing for respondents 1 to 6, on instructions, would submit that on receipt of the above cited communication and on inspection of the land in S.No.247, no encroachment whatsoever, has been found and the representation of the petitioner dated 19.09.2020 addressed to the 1st respondent, a copy of which has also been sent to the 3rd respondent, would be given disposal.
- (6) This Court has considered the rival submissions and also perused the materials placed before it.
- (7) This Court, taking into consideration, the above facts and circumstances and the rival submissions and without going into the merits of the claim projected by the petitioner, either in her representations or in this writ petition,

directs the 3rd respondent to send his response to the representation of the petitioner dated 19.09.2020, to the petitioner as well as to respondents 7 and 8, within a period of four weeks from the date of receipt of a copy of this order / uploading of the order in the website.

(8)The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1.The District Collector cum
Krishnagiri District Integrated Project Officer
Krishnagiri District, Krishnagiri.

2.The Assistant Director of Panchayats
Krishnagiri District, Krishnagiri.

3.The Tasildar
Krishnagiri Taluk, Krishnagiri.

4.The Block Development Officer
Veppanappalli Panchayat Union
Veppanappalli, Krishnagiri Taluk & District.

5The Inspector of Police
Veppanappalli Police Station
Krishnagiri District.सत्यमेव जयते

6.The Secretary
Kodipalli village Panchayat
Veppanappalli Panchayat Union
Krishnagiri Taluk & District 635 115.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No. 4093

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SMI (CO)
GN(09/02/2021)