



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 22.10.2021

CORAM

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.14864 of 2013

T. Pappannan

... Petitioner

-vs-

1. The District Collector,
Coimbatore - 641 018.
2. The District Revenue Officer,
Coimbatore District - 641 018.
3. The Revenue Divisional Officer,
Coimbatore - 641 018.
4. P. Surendran
5. M. Malaiyappan

... Respondents

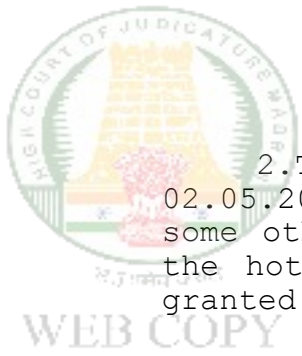
PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the third respondent herein to take appropriate action on the basis of the petitioner representation dated 02.05.2013 in accordance with law within a time frame that may be fixed by this Court.

For Petitioner : Mr.T.Senthilkumar

For Respondents: Mr.K.M.D.Muhilan
Government Advocate for R1 to R3
No appearance for R4
R5-Dismissed vide Court order
dt. 02.09.2016

O R D E R

The relief sought for in the present writ petition is to direct the 3rd respondent herein to take appropriate action on the basis of the petitioner's representation dated 02.05.2013 in accordance with law within a time frame.



2.The representation submitted by the writ petitioner on 02.05.2013 reveals that the petitioner is running a hotel and some other persons are interfering with the peaceful running of the hotel in the place. The petitioner claims that patta was granted in his favour in respect of the Government land.

3.This Court is of the considered opinion that the respondents 1 to 3 are duty bound to ascertain the classification of the land and find out whether it is a Government land and the dispute is between the encroachers of the Government land. If at all the petitioner claims title or ownership, it is left open to the petitioner to approach the competent Civil Court of Law. However, if the authorities, based on the Revenue records, identify that the subject property is a Government land, then immediate actions are to be initiated for the eviction of the encroachers and utilize the land for public purposes.

4.Accordingly, the respondents 1 to 3 are directed to conduct an inspection in the subject property, verify the Revenue records and if the inspection reveals that it is a Government land and there are encroachments, remove all such encroachments and utilize the land for public purposes. The respondents 1 to 3 are directed to complete the said exercise within a period of twelve weeks from the date of receipt of a copy of this order. If the petitioner claims any ownership or title, it is left open to the petitioner to approach the competent Civil Court of law for establishing his right through original documents and through evidence.

Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

mkn

To

1. The District Collector,
Coimbatore - 641 018.

2. The District Revenue Officer,
Coimbatore District - 641 018.

3. The Revenue Divisional Officer,Coimbatore - 641 018.

+1 cc to Mr.T.Senthilkumar, Advocate Sr.NO. 54191

+1 cc to Government Pleader Sr.NO. 55112

W.P.No.14864 of 2013

KV(CO)

A.SK(12.11.2021)