



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.4845 of 2020

R.Vengidusamy

...Petitioner

Vs.

1.The District Collector,
Collectorate Buildings,Tiruppur.

2.The Tahsildar, Taluk Office,
Udumalpet,
Tiruppur District.

3.Rathinam

4.Thirumalai Samy

5.Shanmugavadivel

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to take other appropriate action based on the petitioner's representation dated 29.06.2019 for removal of the illegal encroachment made in Odai Poromboke land in Survey No.878/B situated at Thali Village, Udumalpet Talu, Tiruppur District.

For petitioner : Mr.G.Vinoth
for N.Umapathi

For respondents : Mr.T.N.C.Kaushik
Govt. Advocate for R1 and R2
Mr.D.R.Arun Kumar '
for R3 to R5



ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J)

The petitioner seeks a direction to the first respondent to remove the encroachment in Survey No.878/B situated at Thali Village, Udumalpet Talu, Tiruppur District, based on his representation dated 29.06.2019.

2.Mr.T.N.C.Kaushik, learned Government Advocate appearing for the respondents 1 and 2, would state that the Assistant Director, Department of Survey is conducting survey and based on his report, the 2nd respondent would take appropriate action.

3.Heard the learned counsel appearing for the petitioner.

4.In the light of the submission made by the learned Government Advocate appearing for the respondents 1 and 2, this writ petition is disposed of, directing the 2nd respondent to take appropriate action on the representation to the petitioner dated 29.06.2019 in accordance with law, after providing opportunity of personal hearing to all the necessary parties, within a period of six months from the date of receipt of a copy of this order.

5.It is pertinent to note that 4th respondent herein in W.P.No.18568 of 2021 sought for modification of the UDR measurement in S.F.No.878/B and a direction was issued to the District Revenue Officer, Tiruppur, to consider his grievance within a period of three months. The decision of the District Revenue Officer will have a bearing in the action to be taken by the 2nd respondent in this case.

6.With the above direction and observation, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VII)

// True Copy //

Sub Assistant Registrar

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To

1.The District Collector,
Collectorate Buildings, Tiruppur.

2.The Tahsildar, Taluk Office,
Udumalpet,
Tiruppur District.

3.The District Revenue Officer, Tiruppur.

+1CC to M/s.N.Umapathi, Advocate, SR.No. 52183

+1CC to M/s.D.R.Arun Kumar, Advocate, SR.No. 51480

+1CC to The Government Pleader, SR.No. 52440

W.P.No.4845 of 2020

SPD(CO)

B.VC (08/11/2021)