

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2021

CORAM :

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE
AND
The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.12172 of 2021

V.Deivam

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Petitioner

Vs.

1. The District Collector
The District Collector Office
Krishnagiri.
2. The Block Development Officer
The District Collector Office
Kaveripatinam
Krishnagiri.
3. Inspector General of Registration
Office of the DIG Registration
Krishnagiri District.
4. The District Registrar
Krishnagiri
Krishnagiri District.
5. The Sub Registrar
Kaveripattinam
Krishnagiri District.
6. The Tahsildar
Krishnagiri Taluk Office
Krishnagiri District.
7. The Village Administrative Officer
Paiyur
Krishnagiri Taluk and District.
8. Superintendent of Police
District Crime Branch
Office of the Superintendent of Police
Krishnagiri District
Krishnagiri.

Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Mandamus directing the sixth respondent to consider the petitioner's representation dated 05.10.2020 to remove the illegal encroachment by the ninth respondent in Natham Survey No.873, Re-survey No.1041/10, admeasuring up to 0.09.78 sq.ft., Bommasamuthram Village, Krishnagiri Taluk, Krishnagiri District within a stipulated time.

For Petitioner : Mr.M.D.Thirunavukkarasu

For Respondent : Mr.R.Shunmugasundaram
Advocate General
Assisted by
Mr.P.Muthukumar
Counsel for State
for respondents 1 to 8

ORDER

(Made by SENTHILKUMAR RAMAMOORTHY, J)

The petitioner complains of an alleged encroachment of Natham Survey No.873, Re-survey No.1041/10 at Bommasamuthram Village, Krishnagiri Taluk, Krishnagiri District.

2. The petitioner asserts that the Government had laid a concrete road in the village and that such road is being put to use by the residents of the village for more than 20 years. It is further stated that the ninth respondent has encroached upon the road and is constructing a building thereon. In spite of the petitioner making a representation on 05.10.2020 to remove such illegal encroachment, no action has been taken thereon.

3. Learned counsel for the Government, Mr.P.Muthukumar, accepts notice on behalf of respondents 1 to 8 and submits that the representation of the petitioner would be considered and disposed of by the sixth respondent within a reasonable time frame.

4. Accordingly, without going into the merits of the matter, the sixth respondent is directed to consider the representation dated 05.10.2020 of the petitioner and dispose of the same by a reasoned order, after providing a reasonable opportunity to the petitioner and the ninth respondent. Such reasoned order shall

be passed within a period of eight weeks from the date of receipt of a copy of this order.

5. In view of the fact that the merits of the matter have not been gone into and because the sixth respondent has been directed to hear the ninth respondent before passing the order, the writ petition is disposed of without notice to the ninth respondent.

W.P.No.12172 of 2021 is disposed of on the above terms. There will be no order as to costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

kpl

To

1. The District Collector
The District Collector Office
Krishnagiri.
2. The Block Development Officer
The District Collector Office
Kaveripatinam
Krishnagiri.
3. Inspector General of Registration
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Krishnagiri Taluk and District.

8. Superintendent of Police
District Crime Branch
Office of the Superintendent of Police
Krishnagiri District
Krishnagiri.

+1cc to the Government Pleader, S.R.No.27405

W.P.No.12172 of 2021

RSV(CO)
CB(13/07/2021)



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