

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2021

CORAM :

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

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.6710 of 2020

P.Kandhasamy ... Petitioner

-vs-

- 1.The District Collector,
O/o. the District Collector,
Kallakurichi & District.
- 2.The Block Development Officer,
Panchayath Union, Chinnasalem,
Kallakurichi & District.
- 3.The Tahsildar,
O/o. the Tahsildar,
Kallakurichi Taluk, Kallakurichi District.
- 4.The Special Tahsildar,
O/o.Adi-Dravidar Welfare Department,
Kallakurichi Taluk, Kallakurichi District.

5.K.Kaliyamoorthy

6.Selvi

सत्यमेव जयते .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 3rd respondent to remove the encroachment made by the 5th & 6th respondents in the Government Porampoke land in Survey No.22 situated at Nallathur Village, Kallakurichi Taluk & District.

For Petitioner

: Mr.G.Balamanikandan

For Respondents

: Mr.V.Jayaprakash Narayanan
State Government Pleader
for RR 1, 3 and 4

ORDER

(Made by Senthilkumar Ramamoorthy, J.)

This writ petition is filed in respect of alleged encroachments by the fifth and sixth respondents in a Government poramboke land in Survey No.22 at Nallathur Village, Kallakurichi Taluk.

2.The petitioner states that in spite of issuing multiple representations, no action was taken to remove the encroachments. In several cases of this nature, this Court observed that it is not inclined to exercise discretionary jurisdiction in public interest litigation unless there is a significant impact on the larger public interest.

3.Accordingly, without examining the merits of the representations submitted by the petitioner, the official respondents concerned are directed to consider and dispose of the representations by a speaking order within a period of six weeks from the date of receipt of a copy of this order after providing a reasonable opportunity to respondents 5 and 6 and any other affected parties. In the event that the writ petitioner is aggrieved by the decision of the respondents, it is open to the writ petitioner to pursue his remedies in accordance with law, otherwise than by a public interest litigation, after establishing his locus standi.

The writ petition, W.P.No.6710 of 2020, is disposed of on the above terms. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sra

The Hon'ble Chief Justice
and
Senthilkumar Ramamoorthy, J.

To

- 1.The District Collector,
O/o. the District Collector,
Kallakurichi & District.
- 2.The Block Development Officer,
Panchayath Union, Chinnasalem,
Kallakurichi & District.

- 3.The Tahsildar,
O/o. the Tahsildar,
Kallakurichi Taluk, Kallakurichi District.

- 4.The Special Tahsildar,
O/o.Adi-Dravidar Welfare Department,
Kallakurichi Taluk, Kallakurichi District.

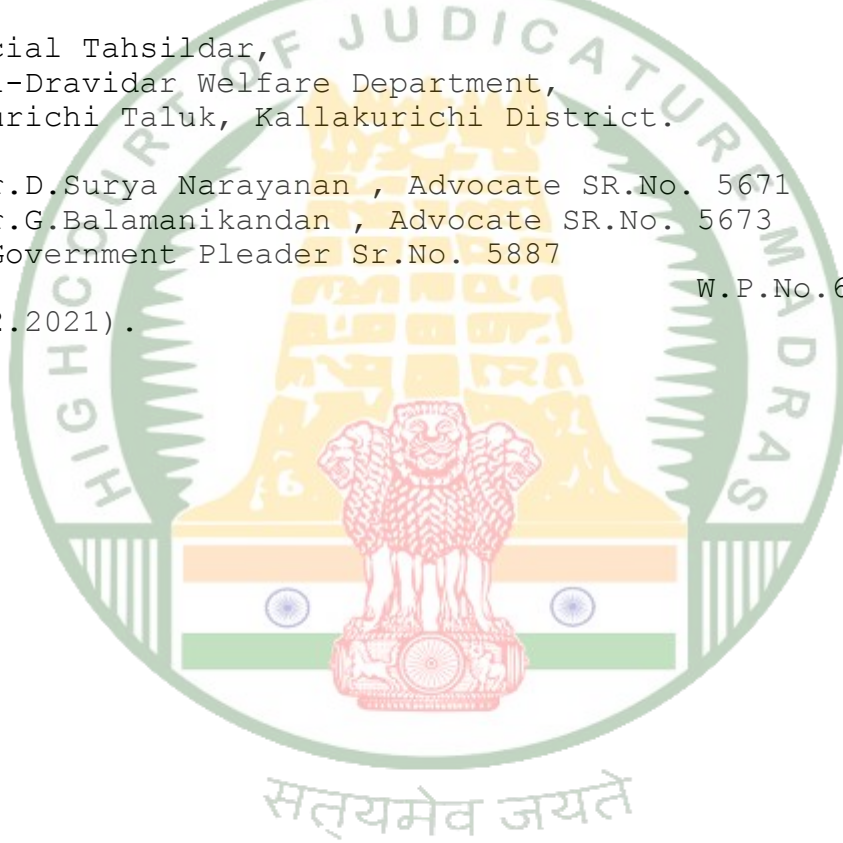
+1cc to Mr.D.Surya Narayanan , Advocate SR.No. 5671

+1cc to Mr.G.Balamanikandan , Advocate SR.No. 5673

+1 cc to Government Pleader Sr.No. 5887

W.P.No.6710 of 2020

A.SK(17.02.2021).



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