

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.13768 of 2021

WMP Nos 14610 and 1462 OF 2012

1. P.Ganesan
2. A.Vijayakumar ..Petitioner
Vs.

1. The District Collector
Erode 638 011
Erode District.

2. The Revenue Divisional Officer
Gobichettipalayam
Erode District.

3. The Tahsildar
Sathyamangalam Taluk
Erode District.

4. R.Murugesan ..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 3 to take action against the fourth respondent by imposing penalty and criminal action for illegal removal of the ground earth, subsoil, gravels in the Government poramboke lands in S.F.No.110 and also for destroying the small hills in Varadhampalayam Village, Sathyamangalam Taluk, Erode District by considering the petitioner's representations dated 23.09.2020 and 16.10.2020.

For Petitioners : Mr.N.Manokaran

For Respondents : Mr.P.Muthukumar
Counsel for State
for respondents 1 to 3

ORDER
(Made by SENTHILKUMAR RAMAMOORTHY, J)

The petitioners complain of an alleged encroachment and misappropriation of soil and sand from Government poramboke land in S.F.No.110 at Varadhampalayam Village, Sathyamangalam Taluk, Erode District.

2. The writ petitioners state that the fourth respondent, who is the Village Administrative Officer, has abused his position and authority by encroaching upon the aforesaid land and removing the soil therefrom. He also states that the villagers submitted a complaint in this connection on 23.09.2020 to respondents 1 to 3. Upon receipt thereof, a communication dated 19.11.2020 was issued to the second respondent. The second respondent, in turn, issued an inquiry notice dated 10.12.2020, but no inquiry has been conducted subsequently.

3. Mr.P.Muthukumar, learned counsel for the State, accepts notice for respondents 1 to 3. He submits that the inquiry would be proceeded with and concluded expeditiously.

4. Accordingly, without going into the merits of the matter, the second respondent herein is directed to proceed with and conclude such inquiry within a period of three months from the date of receipt of a copy of this order, after providing a reasonable opportunity to the petitioners and the fourth respondent and communicate his decision by a reasoned order within one week from the conclusion of such inquiry to the contesting parties.

5. W.P.No.13768 of 2021 is disposed of, without any order as to costs. WMP Nos.14610 and 14612 of 2021 are closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kpl

To

1. The District Collector
Erode 638 011
Erode District.

2. The Revenue Divisional Officer
Gobichettipalayam
Erode District.

3. The Tahsildar
Sathyamangalam Taluk
Erode District.

+1cc to Government Pleader, SR.NO.31206

W.P.No.13768 of 2021

GPL (CO)
KKV/09/07/2021



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