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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.19025 of 2021

P.Parthiban

.. Petitioner

Vs.

1.The District Collector
Villupuram District - 605 602.

2.The Sub Collector
Tindivanam
Villupuram District - 604 001.

3.Revenue Tahsildar
Tindivanam Taluk
Villupuram District - 604 001.

4.Kathirvel

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 3rd respondent to take appropriate action as directed by the 2nd respondent vide his communication dated 30.07.2021 and to remove the encroachments in the Channel so as to drain the rain water to a tributary running through Konerikuppam village.

For the Petitioner : Mr.Sesubalan Raja

For the Respondents 1-3 : Mr.P.Muthukumar
State Government Pleader

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner complains of the third respondent Tahsildar failing to take action to remove encroachers from Survey No.62 (though the petitioner has mentioned survey number 58, it is submitted on behalf of the official respondents that the appropriate survey number is 62 and not 58) at Konerikuppam village despite the recommendation of the second respondent Sub Collector of Tindivanam in Villupuram District.



2. Mr.P.Muthukumar, learned State Government Pleader, appears for the respondent Nos.1 to 3 and submits that immediate appropriate action is being taken to remove the fourth respondent encroacher.

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3. Accordingly, W.P.No.19025 of 2021 is disposed of by directing the third respondent Tahsildar of Tindivanam Taluk, Villupuram to take immediate appropriate steps in accordance with law to ensure that the encroachers are removed from the relevant land.

4. The Tahsildar will issue notice to the perceived encroachers, including the fourth respondent herein. In view of such order, no previous notice is served on the fourth respondent.

5. W.P.No.19025 of 2021 is dismissed. There will be no order as to costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

sra/kst

To

1.The District Collector,
Villupuram District - 605 602.

2.The Sub Collector, Tindivanam,
Villupuram District - 604 001.

3.Revenue Tahsildar,
Tindivanam Taluk,
Villupuram District - 604 001.

+1cc to Mr.P.Sesubalan Raja, Advocate, S.R.No.46024

W.P.No.19025 of 2021

SVI (CO)
GN(17/09/2021)