



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.3904 OF 2014

AND

M.P.NOS.1 AND 2 OF 2014

Jothimani

... Petitioner

Vs

1. The District Collector,
Tiruppur,
Tiruppur District.
2. The Block Development Officer,
Village Panchayat,
Pongalur,
Tiruppur District - 641 667.

3. R.Krishnaraj

... Respondents

PRAYER :

Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records of the second respondent in and by his proceedings Na.Ka.No. 606 / 2013 / B2 dated 25.10.2013 and quash the same, and consequently directing the second respondent to disperse the construction materials and balance amount as eligible under the Indira Gandhi Memorial House Scheme 2012-13 to the petitioner .

For Petitioner : Mr.V.Ragunathan
For Mr.Dhanasekaran

For Respondent : Mr. K.M.D.Muhilan
Government Advocate
[For R1]

Mr.N.Damodaran
[For R3]

No appearance
[For R2]



O R D E R

The reply given by the Block Development Officer based on the complaint given by the petitioner is under challenge in the present writ petition.

2. The grievance of the writ petitioner is that the third respondent falsely made an allegation that the petitioner has encroached the land belongs to the Government. In this regard, a complaint was given and the Block Development Officer has given a reply by stating that further details are called for and after getting the report from the authority, actions will be initiated.

3. However, it is brought to the notice of this Court that no action has been taken during the pendency of the writ petition for the past about six years.

4. It is needless to state that, if there is any encroachment by any person in respect of the Government land, the authorities competent are bound to evict the encroachers by following the procedures as contemplated under the Tamil Nadu Land Encroachment Act, 1905.

5. In the present case, the allegation is that the petitioner has encroached the land. Per contra, the petitioner states that the third respondent has committed certain illegality. However, the District Collector is directed to conduct an enquiry in respect of all such encroachments in that locality and initiate appropriate action for eviction of the encroachers and utilize the land for the public usage. The District Collector is directed to complete the said exercise within a period of 12 weeks from the date of receipt of a copy of this order.

6. With these directions, the writ petition stands disposed of. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

nti/kak



To

1. The District Collector,
Tiruppur,
Tiruppur District.
2. The Block Development Officer,
Village Panchayat,
Pongalur,
Tiruppur District - 641 667.

+1cc to Mr.V.Ragunathan, Advocate, S.R.No.50617
+1cc to Mr.N.Damodaran, Advocate, S.R.No.50618
+1cc to the Government Pleader, S.R.No.51274

W.P.No. 3904 of 2014

VGI (CO)
PM/13/10/2021