

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.20519 of 2019

S.Munusami

.. Petitioner

Vs.

1. The District Collector
District Collectorate
Dharmapuri District - 636 705.
2. The Regional Divisional Officer
Gandhi Nagar
Dharmapuri District - 636 705.
3. The Assistant Engineer (PWD)
Office of Public Works Department
Dharmapuri District - 636 705.
4. The Tahsildar
Nagamarai, Pennagaram Road
Pennagaram Taluk
Dharmapuri District - 636 810.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents to maintain the tank in Survey No.205-2, situated at Manja Nayakkana Alli Villgae, Jeeva Nagar, Pennagaram in Dharmapuri District, free of encroachment and strengthen the tank bunds and restore its original position.

For Petitioner : Mr.S.Jimraj Milton

For Respondents : Mr.K.S.Suresh
Government Advocate

ORDER

(Order of the Court was made by
SENTHILKUMAR RAMAMOORTHY,J.)

This writ petition pertains to the alleged encroachment of a tank in Survey No.205-2, situated at Manja Nayakkana Alli Villgae, Jeeva Nagar, Pennagaram in Dharmapuri District.

2. The contention of the writ petitioner is that a representation was made on 29.3.2019 and that no action was taken pursuant thereto.

3. Learned Government Advocate submits that a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 has been issued in respect of this encroachment.

4. As held by us in the order dated 20.1.2021 made in W.P.No.981 of 2021 (N.Shanmugam vs. Government of Tamil Nadu), without expressing an opinion on the merits of the representation, this writ petition is disposed of directing the official respondents to initiate action and dispose of the representation of the writ petitioner in accordance with law by a speaking order. Such order shall be passed within six weeks from the date of receipt of a copy of this order. In case the writ petitioner is aggrieved by such speaking order, the writ petitioner is at liberty to pursue his remedies in accordance with law. For this purpose, the parties are directed to take note of and pursue remedies in accordance with G.O.Ms.No.540, Revenue [LD6(2)] Department, dated December 4, 2014.

W.P.No.20519 of 2019 is disposed of accordingly. No costs. Consequently, W.M.P.No.19785 of 2019 is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

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Dharmapuri District - 636 705.
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Dharmapuri District - 636 705.

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W.P.No.20519 of 2019

MG (CO)
SP (10/02/2021)



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