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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

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

WP No.22198 of 2021

Maruthavanan

..Petitioner

Vs.

1. The District Collector
O/o. District Collector,
Mayiladuthurai,
Mayiladuthurai - Post & District.
2. The Revenue Divisional Officer
Mayiladuthurai - Post,
Mayiladuthurai - District.
3. The Tahsildar
Tranquebar - Post,
Mayiladuthurai - District.
4. The Block Development Officer
Sembanaarkovil - Post,
Mayiladuthurai - District.

5.Chandra

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the first respondent to consider and pass order on the representation made by the petitioner dated 14.08.2021 with request to remove the encroachment made by the fifth respondent in the National Highway of Chennai to Kanniyakumari in survey Nos.78/2 & 103, Thalaiyudaiyavar Kovilpathu - Village, Tranquebar - Taluk, Mayiladuthurai - District (previously Nagapattinam - District).



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For the Petitioner : Mr.D.Veerasekaran
For the Respondents : Mr.P.Muthukumar
State Govt. Pleader
for RR 1 to 4

ORDER

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

The grievance of the petitioner is that a portion of land appertaining a national highway at survey nos.78/2 and 103 in Thalaiyudaiyavar Kovilpathu Village, Tranquebar Taluk, Mayiladuthurai District has been illegal occupied and encroached by the fifth respondent and repeated representations to the official respondents have yielded no result.

2. Mr.P.Muthukumar, learned State Government Pleader, takes notice on behalf of the respondent Nos.1 to 4. According to the official respondents, the Tahsildar, Tranquebar Post, has conducted an inquiry and such inquiry reveals that both the fifth respondent and the petitioner have encroached into government land or land next to the highway at or about the same place.

3. The Tahsildar will conduct a fresh inquiry as to whether there is any encroachment by any person, including the petitioner and the fifth respondent, upon due notice to all concerned. If such inquiry reveals any encroachment, immediate appropriate steps should be taken against the encroachers in accordance with law. The Tahsildar should take appropriate steps within a period of eight weeks of the receipt of a copy of this order and report the matter to the District Collector.

WP No.22198 of 2021 is disposed of. There will be no order as to costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sra



To:

1. The District Collector
O/o. District Collector,
Mayiladuthurai,
Mayiladuthurai - Post & District.
2. The Revenue Divisional Officer
Mayiladuthurai - Post,
Mayiladuthurai - District.
3. The Tahsildar
Tranquebar - Post,
Mayiladuthurai - District.
4. The Block Development Officer
Sembanaarkovil - Post,
Mayiladuthurai - District.

+1CC to Mr.D.Veerasekaran, Advocate, Sr.No.54387

WP No.22198 of 2021

PPA (CO)
K.RK. (01.11.2021)