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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

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

WP No.23734 of 2021

Seethapathy

.. Petitioner

Vs.

1. The District Collector,
Cuddalore.

2. The Thasildar,
Panruti, Cuddalore District.

3. The Superintendent of Police,
Cuddalore District.

4. The Inspector of Police,
Kadampuliyur Police Station,
Cuddalore District.

5. Alavantha Murthy

6. M.P.Saravanan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 and 2 to remove the encroachments made by respondents 5 and 6 in Survey No.27, 28, 85/, 94/2 of Purangani, Purangani Revenue Village, Panruti Taluk, Cuddalore District.

For the Petitioner	: Mr.V.Jayaprakash Narayanan
For the Respondents	: Mr.P.Muthukumar State Government Pleader for respondent Nos.1 to 4

ORDER

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

The grievance of the petitioner is that some parts of government land described as Odai in the revenue records and



some other parts described as a pathway leading upto the Sembaiyanar temple in Purangani revenue village of Panruti Taluk have been overrun by the private respondent encroachers with the official respondents taking no action against the same.

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2. Mr.P.Muthukumar, learned State Government Pleader appearing for the respondent Nos.1 to 4, submits that preliminary assessments indicate that parts of government land or land marked as Odai or pathway may have been encroached into by the fifth and sixth private respondents. Mr.Muthukumar submits that the Tahsildar, Panruti would be the appropriate authority to look into the matter.

3. Accordingly, WP No.23734 of 2021 is disposed of by permitting the petitioner to carry a fresh, detailed representation pertaining to the matters complained of to the second respondent Tahsildar, Panruti within four weeks from date. Immediately upon receipt of the representation, the concerned Tahsildar will conduct an inquiry upon due notice to the respondent Nos.5 and 6, the petitioner and to any other person who is likely to be affected by the inquiry. In the event the Tahsildar finds any encroachment, whether by the private respondents or otherwise, the Tahsildar will report the matter to the superior officials for immediate appropriate action to be taken against such encroachment in accordance with law.

4. The Tahsildar's reasoned inquiry report should be forwarded to the petitioner and any other person likely to be affected thereby within a period of ten weeks of the receipt of the petitioner's representation in terms of this order.

5. Since no prejudice is caused by this order to the private respondents, no previous service has been required to be effected. However, the petitioner will be obliged to immediately forward copies of the petition and this order to the private respondents.

There will be no order as to costs.

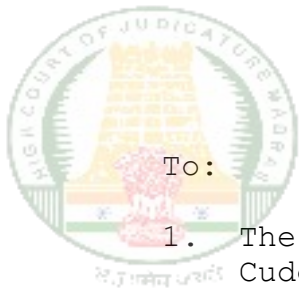
Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sra



To:

1. The District Collector,
Cuddalore.
2. The Thasildar,
Panruti, Cuddalore District.
3. The Superintendent of Police,
Cuddalore District.
4. The Inspector of Police,
Kadampuliyur Police Station,
Cuddalore District.

+1CC to Mr.V.Jayaprakash, Advocate, Sr.No.57548

+1CC to Mr.Government Pleader, Sr.No.57915

WP No.23734 of 2021

EV (CO)

K.RK. (17.11.2021)