



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.24074 of 2021

M.Patchayappan

...Petitioner

Vs.

- 1.The District Collector of Thiruvannamalai,
Thiruvannamalai.
- 2.The Revenue Divisional Officer,
Cheyyar.
- 3.The Tahsildar
Vandavasi.
- 4.The Block Development Officer,
Thellar.
- 5.The President,
Sri Rangarajapuram Panchayat,
Vandavasi Talk,
Thiruvannamalai District.
- 6.K.Pachayappan
- 7.Rani

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing respondents to consider the petitioner's representation dated 01.03.2021 and remove the encroachment in "Government Canal" வெல்லவாரி வாய்க்கால் comprised in S.No.108/2, Srirangarajapuram Village, Vandavasi Taluk and restore the Original Position as per A Register and FMB Sketch of the Srirangarajapuram Village.



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For petitioner : Mr.V.S.Suresh
For respondents : Mr.L.S.M.Hasan Fizal
Additional Government Pleader
(for R1 to R3)

Mr.Edwin Prabhakar
Standing Counsel (for R4 and R5)

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

Heard Mr.V.S.Suresh, learned counsel for the petitioner, Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader appearing for the respondents 1 to 3 and Mr.Edwin Prabhakar, learned Standing Counsel appearing for the respondents 4 and 5.

2.The petitioner has come forward with this writ petition seeking for issuance of a Writ of Mandamus directing the official respondents to consider his representation dated 01.03.2021 and remove the encroachment made in S.No.108/2 of Srirangarajapuram Village, Vandavasi Talk.

3.The petitioner would state that he owns land to an extent of 1 Acre 15 Cents in S.No.6/1a, 6/2d, 61/2E and 6/2 at Srirangarajapuram Village and he is cultivating paddy and sugarcane. It is the case of the petitioner that he has been using common pathway in S.No.108/2 to reach his property. But the respondents 6 and 7 have encroached upon the pathway and they are also disputing the right of the petitioner to use the same.

4.The learned counsel for the petitioner would state that the land in S.No.108/2 has been classified as "பாறை" in the revenue records and the fourth respondent is the competent authority and he can be directed to act on the representation of the petitioner.

5.The learned Standing Counsel appearing for the respondents 4 and 5 Mr.Edwin Prabhakar, on instructions, would state that the fourth respondent has already received the representation of the petitioner and he is ready to take action in accordance with law.

6.In the light of the above facts, this Court without expressing any opinion on the merits of the matter, directs the third respondent/Tahsildar, Vandavasi to conduct survey of the land in dispute in the presence of the petitioner as well as the



respondents 6 and 7 and on the basis of the report of the Tahsildar, the fourth respondent shall take further action in accordance with law, after affording ample opportunity to the necessary parties. The said exercise shall be completed within a period of six months from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

skn

To

1. The District Collector of Thiruvannamalai,
Thiruvannamalai.
2. The Revenue Divisional Officer,
Cheyyar.
3. The Tahsildar
Vandavasi.
4. The Block Development Officer,
Thellar.
5. The President,
Sri Rangarajapuram Panchayat,
Vandavasi Talk,
Thiruvannamalai District.

+1cc to Mr.V.S.Suresh, Advocate SR. No.62249

+1cc to Government Pleader SR. No.62885

W.P.No.24074 of 2021

VGII (CO)

PR (04/01/2022)