



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2021

CORAM:

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

W.P.No.31241 of 2018
and
W.M.P.No.36429 of 2018

Aramirtham

...Petitioner

Vs.

1. The District Collector,
Perambalur District.
2. The Tahsildar,
Alathur,
Perambalur District.
3. Block Development Officer,
Alanthur,
Perambalur District.
- 4.Kandasamy
- 5.Selvaraj
- 6.Vembu
- 7.Sembaiah
- 8.Pachaiammal
- 9.Jyothi
- 10.Subbaiah
- 11.Ilayaraja
- 12.Vijayakumar
- 13.Elangovan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents 1 to 3 to take necessary legal steps to remove the encroachments made by the respondents 4 to 13 in Survey Nos.152/9C, 152/9B, 152/9A, 152/5, 152/4, 156/16F, 156/16E, 156/16C, 156/16A, 156/15, 156/14, 156/7, 156/6, 156/5, 156/4, 156/1, 150/10 situated at Sillakudi, Alandur Taluk, Perambalur District and initiate appropriate steps to restore its original position in the revenue records.



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For petitioner : Mr.Usha Ramman
For respondents : Mr.T.N.C.Kaushik
Govt. Counsel (for R1 to R3)
Mr.S.Kamadevan (for R6 to R12)
No appearance for R4 and R5

ORDER

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

The petitioner has sought for issuance of a Writ of Mandamus directing the respondents 1 to 3 to remove the encroachments made by the respondents 4 to 13 in Survey Nos.152/9C, 152/9B, 152/9A, 152/5, 152/4, 156/16F, 156/16E, 156/16C, 156/16A, 156/15, 156/14, 156/7, 156/6, 156/5, 156/4, 156/1, 150/10 situated at Sillakudi, Alandur Taluk, Perambalur District and initiate appropriate steps to restore its original position in the revenue records.

2.The learned counsel for the petitioner Mr.Usha Ramman, the learned Government Counsel appearing for the respondents 1 to 3 Mr.T.N.C.Kaushik and Mr.S.Kamadevan, learned counsel appearing for the private respondents 6 to 12 would state that the second respondent is the competent authority and he can be directed to conduct a survey and if there is any encroachment is found as alleged by the petitioner, it can be removed.

3.In the light of the above submission of the learned counsels, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to conduct a survey in the presence of the petitioner and the private respondents and if it is found that there is any encroachment in the above said Survey Nos.152/9C, 152/9B, 152/9A, 152/5, 152/4, 156/16F, 156/16E, 156/16C, 156/16A, 156/15, 156/14, 156/7, 156/6, 156/5, 156/4, 156/1, 150/10, the second respondent shall remove the same in accordance with law after affording an 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.

4.With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

skn

