



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.01.2021**

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.193 of 2021

(Through Video Conferencing)

Jahir Hussain

: Petitioner

Vs.

1.The District Collector,
Office of the District Collector
Dindigul District.

2.The Revenue Divisional Officer,
Office of Revenue Divisional Office,
Kodaikanal, Dindigul District.

3.The Tahsildar,
Office of the Tahsildar,
Kodaikanal, Dindigul District.

4.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police
Kodaikanal, Dindigul District.

: Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus to direct the Tahsildar, Kodaikanal to implement the order passed by the 2nd respondent in his proceedings in Na.Ka.No.1024/2020/A2 dated 22.06.2020 for removal of the illegal encroachments made in Survey no.438/3 situated at Matupatti, Pallangi Village, Kodaikanal within the time stipulated by this Court.

For Petitioner : Mr.J.Vishnu

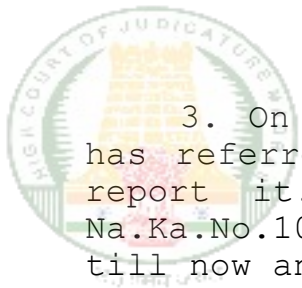
For Respondents : Ms.J.Padmavathi Devi
Special Government Pleader

ORDER

(Order of the Court was made by M.M.SUNDRESH, J)

Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

2. The petitioner made a representation to the respondent No.2 stating that in view of the encroachment on the pathway leading to his private land, he is not able to reach the same. The encroachers are threatening him with dire consequences, if he insists them to remove the encroachment.



3. On receipt of the said representation, the respondent No.2 has referred it to respondent No.3 to have appropriate action and report it. Though the communication is dated 22.06.2020 in Na.Ka.No.1024/2020/A2, no action is taken by the respondent No.3 till now and therefore, the present writ petition.

4. The learned Special Government Pleader appearing for the respondents submitted that Form VII notice has also been issued and the needful would be done within the reasonable time.

5. Considering the said submission made, the respondent No.3 is directed to pass appropriate final orders on the communication dated 22.06.2020 sent by the respondent No.2, after following the due procedure within a period of eight weeks from the date of receipt of a copy of this order. It is needless to state that the respondent No.3 can have the police aid in the event of passing orders of eviction.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector,
Office of the District Collector, Dindigul District.
 - 2.The Revenue Divisional Officer,
Office of Revenue Divisional Office,
Kodaikanal, Dindigul District.
 - 3.The Tahsildar,
Office of the Tahsildar, Kodaikanal, Dindigul District.
 - 4.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police
Kodaikanal, Dindigul District.
- +1 CC to M/s.SPL GP (SR-659[F] dated 08/01/2021)

W.P. (MD)No.193 of 2021

Dated: 07.01.2021

KUN (CO)

KB(21.01.2021) 2P 6C

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