



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2021

CORAM :

WEB COPY

The Hon'ble Mr.SANJIB BANERJEE, THE CHIEF JUSTICE
AND
The Hon'ble Mrs.JUSTICE R.HEMALATHA

W.P.(MD) No.1297 of 2020

R.Ramanathan

... Petitioner

Vs

1. The District Collector,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Melur at Othakadai, Madurai District.
3. The Tahsildar,
Melur Taluk, Madurai District.
4. The Revenue Inspector,
Keezhavalavu, Melur Taluk,
Madurai District.
5. The Village Administrative Officer,
Semmanipatti, Muthusamypatti Post,
Melur Taluk, Madurai District.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the respondent Nos.1 to 5 to remove the encroachment in survey No.712/4 and 21/26, Semmanipatti village, Melur Taluk, Madurai District within the stipulated time.

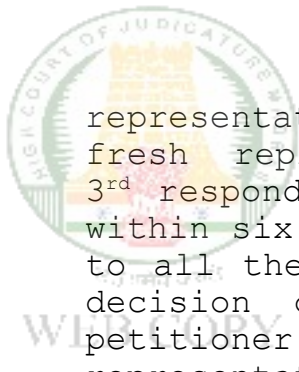
For Petitioner : Mr.C.Mayilvahana Rajendran

For Respondents : Mrs.J.Padmavathi Devi,
Special Government Pleader

ORDER

[Order of the Court was made by **The Hon'ble Chief Justice**]

<https://hcservices.ecourts.gov.in/hcservices> The petitioner complains of encroachment. Though a previous



representation had been made, the petitioner is permitted to make a fresh representation within six weeks from the date to the 3rd respondent, whereupon the 3rd respondent will consider the same within six weeks after affording a reasonable opportunity of hearing to all the persons who may be affected by the order. The reasoned decision of the 3rd respondent should be communicated to the petitioner within six weeks of the receipt of the petitioner's representation.

2.The Government officials should be aware that no encroachment on Government land or any waterbody should be permitted and all efforts should be made to remove the encroachers from such places.

3.In the event the petitioner is not satisfied with the decision of the Tahsildar or the action taken, the petitioner will be permitted to pursue his remedy in accordance with law but otherwise than by way of a public interest litigation and upon establishing his *locus standi*.

4.W.P.(MD) No.1297 of 2020 is disposed of without any order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SMN-2/PKN

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,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Melur at Othakadai,
Madurai District.
3. The Tahsildar,
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4. The Revenue Inspector,
Keezhavalavu, Melur Taluk,
Madurai District.

5. The Village Administrative Officer,
Semmanipatti, Muthusampatti Post,
Melur Taluk, Madurai District.

+1 CC to Mr.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-7139[F] dated
25/02/2021)

+1 CC to THE SPECIAL GOVERNMENT PLEADER(SR-7322[F] dated 25/02/2021)

Order made in
W.P.(MD) No.1297 of 2020
24.02.2021

KUN(CO)
SRS (03/03/2021) 3P : 8C