



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2021

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MRS.JUSTICE S.ANANTHI**

W.P. (MD) No.1347 of 2021
and
W.M.P. (MD) No.1132 of 2021

Prabhu

: Petitioner

Vs .

1. The District Collector,
Madurai District,
Collectorate,
Madurai.
2. The Tahsildar,
Melur Taluk,
Melur - 625 106,
Madurai District.
3. The Assistant Executive Engineer,
Public Works Department,
Melur - 625 106,
Madurai District.
4. The Village Administrative Officer,
Boodamangalam,
Melur Taluk,
Madurai District.
5. Ramasamy
6. R.Mookkan
7. R.Katturaja
8. Madhavan
9. Thirumalai
10. Panneer
11. A. Nagarajan
12. Puliyan
13. Ravi
14. Perumal

: Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus calling for the entire records pertaining to the order passed by the 2nd respondent vide proceedings in Na.Ka.No.2599/2018/Aa4, dated 09.10.2019, quash the same and consequently, directing the respondents 1 to 3 to remove all the encroachments made by the respondents 5 to 14 or any other persons in the "Pazhuvettan Kulam" and its adjacent government land situated in S.No.88/2 and 89/1 at Nallasukkampatti Village, Karungalakudi Post, Melur Taluk, Madurai District, within a stipulated time frame.

For Petitioner : Mr.S.Balaji

For Respondents : Mrs.J.Padmavathi Devi,
Special Government Pleader
for R.1 to R.4

ORDER

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

The petitioner has filed the present writ petition challenging the order dated 09.10.2019, by which, he was accordingly informed that there was no encroachment and if he so aggrieved, he can file an appeal before the Revenue Divisional Officer.

2. Though the learned Counsel appearing for the petitioner submitted that an Advocate Commissioner may be appointed, we do not want to conduct a roving enquiry, especially, when the second respondent has given a factual report stating that there is no encroachment.

3. If the petitioner is aggrieved, he can file an appeal before the Revenue Divisional Officer concerned, namely, the Revenue Divisional Officer, Melur, as indicated in the impugned order, within a period of four weeks from the date of receipt of a copy of this order. If any such appeal is filed, the Revenue Divisional Officer, Melur, is expected to dispose of the same, in accordance with law, within a further period of six weeks thereafter.

4. With the above observation and directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS-)



To

1. The District Collector,
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2. The Tahsildar,
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Melur - 625 106,
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3. The Assistant Executive Engineer,
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Madurai District.
4. The Village Administrative Officer,
Boodamangalam,
Melur Taluk,
Madurai District.

Copy To:-

The Revenue Divisional Officer,
Melur, Madurai District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 2888

GK

TE : 05/02/2021 : 3P/7C

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