



WEB COPY

W.P.(MD)No.1608 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.02.2021**

CORAM:

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

W.P. (MD)No.1608 of 2020
(Through Video Conferencing)

Ganapathi

...Petitioner

Vs.

- 1.The District Collector
Collector Office,
Virudhunagar
Virudhunagar District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivakasi
Virudhunagar District.
- 3.The Tahsildar
Taluk office
Srivilliputhur Taluk
Virudhunagar District.
- 4.The Block Development Officer,
Srivilliputhur Panchayat Union Office,
Virudhunagar District
- 5.G.Kalimuthu
- 6.G.Sankiliyandi

...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 respondents 1 to 4 to initiate appropriate legal proceedings against the respondent NO.5 and 6 and to remove the encroachments made in survey numbres 1105/24, 1105/25, 1105/26 and 1105/52 situated at Kannarpatti, Pillayarkulam Village, Srivilliputhur Taluk, Virudhunagar District in the light of the proceeding initiated by the 3rd respondent vide office proceedings in Na.Ka.A1/10829/2017 dated 15.09.2018 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanidhi
For Respondents : Mr.K.P.Krishnadoss
Special Government Pleader

<https://hcservices.ecourts.gov.in/hcservices/>



ORDER

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

The petitioner has come forward with the writ petition seeking a direction against the private respondent, as despite notice issued dated 15.09.2018, resulting in eviction order passed under Section 6 of the Land Encroachment Act, the encroachment has not been removed.

2.The learned Special Government Pleader submitted that not only the private respondents, but also the petitioner has encroached. If that is the case, the official respondents are hereby directed to remove the encroachments, after following due procedure, within eight weeks from the date of receipt of a copy of this order. If final orders are passed already as indicated in the eviction notice dated 15.09.2018, there is no need for fresh notice.

3. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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
Collector Office,
Virudhunagar
Virudhunagar District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivakasi
Virudhunagar District.

3.The Tahsildar
Taluk office
Srivilliputhur Taluk
Virudhunagar District.



4.The Block Development Officer,
Srivilliputhur Panchayat Union Office,
Virudhunagar District.

+1 CC to GP (SR-3329[F] dated 04/02/2021)

+1 CC to Mr.R.KARUNANIDHI, Advocate (SR-3009[F] dated 03/02/2021)

W.P. (MD)No.1608 of 2020

Dated: 02.02.2021

(CO)

KV(15.02.2021) 3P 7C