



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.07.2021**

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
AND

The HON'BLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.2174 of 2021

R.Krishnasamy

.. Petitioner

Vs

1.The District Collector,
Karur District, Karur.

2.The Block Development Officer,
K.Paramathi Union,
Pugalur Taluk, Karur District.

3.The Tahsildar,
Pugalur Taluk,
Karur District.

4.S.Papathi .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the official respondent Nos.1 to 3 to remove the encroachment made by the fourth respondent in Survey No.35 and Survey No.39/6 situated at K.Paramathi Village, Pugalur Taluk, Karur District and consequently restore the Government and Pathway situated in the said survey numbers within a reasonable time period fixed by this Court and also take appropriate necessary action against the fourth respondent for her illegal acts of encroaching Government land and obstructing pathway situated in the said survey numbers.

For Petitioner : Mr.M.Boopathipandiyan
For Respondents : Mr.A.K.Manikkam for R1 to R3
Standing Counsel for Government
: Mr.M.P.Senthil for R4

ORDER

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

The grievance of the petitioner is that despite the petitioner's complaint to the respondent No.1 that the private respondent has encroached on Government land at Survey Nos.35 and 39, K.Paramathi Village, Pugalur Taluk, Karur District, no action has been taken.



2. Mr.A.K.Manikkam, learned Standing Counsel appearing for the respondent Nos.1 to 3 submits that the third respondent Tahsildar will take appropriate action on the petitioner's representation.

3. Mr.M.P.Senthil appears on behalf of the private respondent and completely denies that the private respondent has encroached on any Government land.

4. Without going into the merits of the allegations levelled by the petitioner, W.P(MD)No.2174 of 2020 is disposed of, by permitting the petitioner herein to carry a detailed representation pertaining to the perceived encroachment to the third respondent Tahsildar within a fortnight from date. Upon receipt of such representation, the Tahsildar will make a preliminary inquiry and, if satisfied that any action needs to be taken, will pass a reasoned order in accordance with law after affording both the petitioner and the private respondent herein a reasonable opportunity of hearing. The speaking order of the Tahsildar should be forwarded to all concerned within eight weeks of the receipt of the petitioner's representation.

5. There will be no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

bala/tsg

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,
Karur District, Karur.

2.The Block Development Officer,
K.Paramathi Union,
Pugalur Taluk, Karur District.



3.The Tahsildar,
Pugalur Taluk,
Karur District.

+1 CC to M/s.GP (SR-24902[F] dated 02/08/2021)

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-24998[F] dated 02/08/2021)

W.P. (MD) No.2174 of 2021
29.07.2021

RD(6.08.2021) 3P 6C