



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2021

CORAM:

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

THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P. (MD) No.3554 of 2021

WEB COPY

Sundaram

... Petitioner

-vs-

- 1.The District Collector,
Trichy District, Trichy.
- 2.The District Revenue Officer,
Trichy District, Trichy.
- 3.The Revenue Divisional Officer,
Srirengam, Trichy District.
- 4.The Tahsildar,
Manapparai,
Trichy District.
- 5.The President,
Puthanatham Village Panchayat,
Manapparai Taluk,
Trichy District.
- 6.Ponnu @ Ponnusamy
- 7.Shankar
- 8.Kumar
- 9.Veeramani
- 10.Arumugam
- 11.Surya
- 12.Vignesh
- 13.Ashok
- 14.Subramani
- 15.Natarajan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the first respondent to direct the fourth respondent to remove the encroachments made by the respondents 6 to 15 in Survey No.543 of Servaikkaranpatty Hamlet, Puthanatham Village, Manapparai Taluk, Trichy District, based on the petitioner's representation dated 13.08.2020, within a stipulated time limit.



For Petitioner : Mr.NA.Palaniyandi

For Respondents : Mr.K.P.Krishnadoss
Special Government Pleader for 1 to 4
Mr.M.Karuppasamy Pandian for R.5

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O R D E R

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

This is a petition alleging encroachments and seeking removal thereof.

2. The petitioner will make a detailed representation to the Thasildar, Manapparai, Trichy District, within four weeks from the date.

3. Upon receipt of the said representation of the petitioner, the concerned Tahsildar will look into the allegations and take appropriate measures in accordance with law after affording an opportunity of hearing to the persons likely to be affected by his decision. The decision of the Tahsildar should be communicated to the petitioner within six weeks of the receipt of the representation.

4. In the event the petitioner is dissatisfied with the action taken by the Tahsildar or the decision communicated to the petitioner, the petitioner will be entitled to seek further remedies in accordance with law, but not by way of any public interest litigation and upon establishing the petitioner's *locus standi*.

5. The respondents, including the relevant Tahsildar, are reminded that no encroachment should be allowed on any Government land or waterbody and there should not be any kind of construction or attempt at construction without due permission or sanction from the local authorities.

6. W.P.(MD) No.3554 of 2021 is disposed of. There will be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// 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.

krk / ssl

To:

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The District Revenue Officer,
Trichy District,
Trichy.
- 3.The Revenue Divisional Officer,
Srirengam,
Trichy District.
- 4.The Tahsildar,
Manapparai,
Trichy District.

+1 CC to Mr.NA.PALANIYANDI, Advocate (SR-7039[F] dated 24/02/2021)

+1 CC to SPL GP (SR-7243[F] dated 25/02/2021)

W.P. (MD) No.3554 of 2021
24.02.2021

VB (05.03.2021) 3P 7C