



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.5257 of 2021

WEB COPY

K.Palanikumar

.. Petitioner

Vs

1.The District Collector,
Virudhunagar District,
Virudhunagar.

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

3.The Tahsildar,
Rajapalayam,
Virudhunagar District.

4.The Block Development Officer,
Rajapalayam Panchayat Union,
Rajapalayam,
Virudhunagar District.

.. Respondents

(R4 is suo motu impleaded vide Court order dated 11.03.2021 in
W.P. (MD) No.5257/2021 by MMSJ & SAIJ)

PRAYER: Petition under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, to direct the respondents to remove the encroachments made Odai situate in Survey No.524 and in Government Pathway in Survey No.535 at Samusingapuram Village, Rajapalayam Taluk Virudhunagar District, on the basis of the petitioner's representation dated 19.02.2021, within the time frame fixed by this Hon'ble Court.

For Petitioner : Mr.K.Gokul

For Respondent Nos.1 to 3 : Mr.K.Mu.Muthu
Additional Government Pleader

For Respondent No.4 : No appearance

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

This Writ Petition, styled as a Public Interest Litigation, has been filed, seeking for issuance of a Writ of Mandamus, to direct the respondents to remove the encroachments made in Odai situate in Survey No.524 and in the Government Pathway in Survey No.535 at Samusingapuram Village, Rajapalayam Taluk Virudhunagar District, on



the basis of the petitioner's representation dated 19.02.2021, within a time frame.

2.Heard Mr.K.Gokul, learned counsel appearing for the petitioner and Mr.K.Mu.Muthu, learned Additional Government Pleader appearing for respondent Nos.1 to 3.

3.Learned Additional Government Pleader appearing for respondent Nos.1 to 3 on instructions submitted that there are totally 38 people residing in the area and most of them have been granted patta in the year 1988 and more than 10 people have put up construction in the area classified as Odai and all of them are residing there for several years.

4.In any event, the representation of the petitioner dated 19.02.2021 is pending with the fourth respondent. Therefore, the fourth respondent is directed to pass a speaking order on the representation given by the petitioner, giving all the facts and also about the names of those persons in whose favour patta has been granted, survey number, extent, the names of the persons, who are residing in the Odai, the extent, survey number etc., and communicate the same to the petitioner within a period of four weeks from the date of receipt of a copy of this order. Thereafter, it is open to the petitioner to seek for appropriate remedy in the manner known to law.

5.The Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (T&P)

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/ /2021

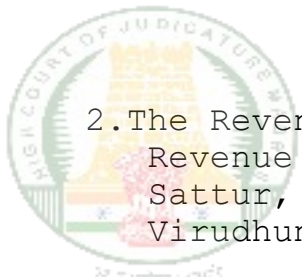
Sub Assistant Registrar(CS)

sj

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,
Virudhunagar District,
Virudhunagar.



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

3.The Tahsildar,
Rajapalayam,
Virudhunagar District.

4.The Block Development Officer,
Rajapalayam Panchayat Union,
Rajapalayam,
Virudhunagar District.

+1 CC to M/s.SPL GP (SR-17724[F] dated 27/04/2021)

+1 CC to M/s.K.GOKUL, Advocate (SR-17818[F] dated 28/04/2021)

W.P. (MD) No.5257 of 2021
26.04.2021

ARK(CO)
KB(12.05.2021) 3P 7C