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W.P.(MD)No.6276 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **07.06.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **T.S. SIVAGNANAM**

AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P. (MD)No.6276 of 2021

and

W.M.P. (MD)No.4900 of 2021

P.Soundirarajan

... Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.

2. The Thasildar,
Dindigul East Taluk,
Dindigul.

3. Virumandi

4. Nagammal

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 1st and 2nd respondents to measure the lands comprised in Survey No.693/11, Poothampatti, A.Velloodu Village, Chettiayapatti, Dindigul East Taluk and Dindigul District and to remove all the encroachments made therein by the 3rd and 4th respondents.

For Petitioner: Mr.S.Sankar

For R1 and R2 : Mr.R.Baskaran,

Standing Counsel for Government

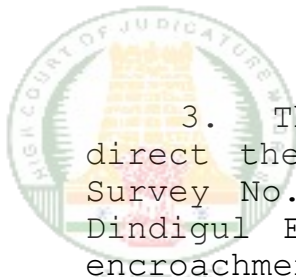
For R3 and R4 : No appearance

ORDER

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

Heard Mrs.S.Sankar, learned counsel appearing for the petitioner and Mr.R.Baskaran, learned Standing Counsel for Government appearing for the respondents 1 and 2.

2. Though motice has been served on the respondents 3 and 4 and their names are printed in the cause list, none appears on behalf of the respondents 3 and 4.



3. The petitioner seeks for issuance of writ of mandamus to direct the respondents 1 and 2 to measure the lands comprised in Survey No.693/11, Poothampatti, A.Vellodu Village, Chettiayapatti, Dindigul East Taluk and Dindigul District and to remove all the encroachments made therein by the 3rd and 4th respondents.

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4. The learned Standing Counsel appearing for the respondents 1 and 2 has brought to our notice that a written instruction has been given by the Thasildar, dated 20.04.2021, wherein, it is stated that there is no encroachment and construction has been done by the private respondents in the patta land.

5. The petitioner would allege that the Village Administrative Officer has given a wrong information to the Thasildhar as he is hand in glove with the encroachers.

6. Be that as it may, the petitioner is entitled to know the fate of the representation. Therefore, we direct the second respondent / Thashildar, Dindigul East Taluk, Dindigul, to consider the petitioner's representation dated 02.03.2021 and pass a speaking order and communicate the same to the petitioner within a period of three weeks from the date of receipt of a copy of this order. It is open to the petitioner to work out his remedy in the manner known to law, if he is aggrieved by such order.

7. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSII)

// 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.

Ogy/rmi



To

1. The District Collector,
Dindigul District,
Dindigul.

2. The Thasildar,
Dindigul East Taluk,
Dindigul.

+1 CC to M/s.SPL GP (SR-19038[F] dated 08/06/2021)

W.P. (MD) No. 6276 of 2021
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GS (16.06.2021) 3P 4C