



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.7055 of 2021

(Through Video Conferencing)

S.Siva Jeya Prakash : Petitioner

Vs.

1.The District Collector,
Tenkasi District
Tenkasi.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Tenkasi District.

3.The Tahsildar,
Alangulam Taluk
Tenkasi District.

4.The Block Development Officer,
O/o.The Block Development Officer,
Village Panchayats,
Alangulam
Tenkasi District

5.V.Subburaj

6.V.Agaatheeswaran : Respondents

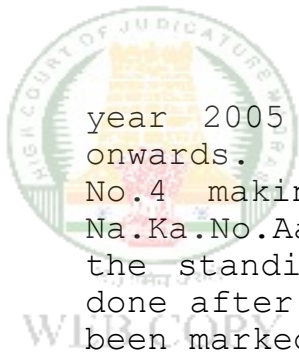
PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus directing the respondent No.1 to 4 to remove the encroachments made by the respondent Nos.5 and 6 in S.No.643 in Sivalarkulam Village, Alangulam Taluk, Tenkasi District within the time frame stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mrs.J.Padmavathi Devi
1 to 3 Special Government Pleader.
For Respondent No 4: M/s/M.Rajeswari
Government Advocate

ORDER

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

The petitioner has been making representations right from the
<https://hcservices.ecourts.gov.in/hcservices/>



year 2005 onwards. Proceedings are in vogue from the year 2007 onwards. The last of such proceedings is that of the respondent No.4 making a request to the respondent No.2 vide letter in Na.Ka.No.Aa3/35/2019 dated 11.01.2021 asking permission for removing the standing trees and crops in the encroached portion. This was done after making a thorough survey. A copy of the same has already been marked to the petitioner.

2.We are at a loss to understand as to why such a request has been made by the respondent No.4 to respondent No.2 even after finding encroachment, after due measurement. On a perusal of the earlier records, we find that the Revenue Tahsildar, Alangulam, namely, respondent No.3 has asked the Inspector of Police, Alangulam in and by the letter dated 09.02.2018 informing that after the harvest of the standing crops is over, eviction proceedings would be initiated.

3. In view of the above, we direct the respondent Nos.2 to 4 to make sure that encroachments are removed within eight weeks from the date of receipt of a copy of this order, after following due procedure. We make it clear that since we are not expressing anything on merits except by recording the proceedings, this order is passed without hearing the private respondents.

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

5. A report will have to be filed on or before **15.06.2021**.

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.

To

1.The District Collector,
Tenkasi District
Tenkasi.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Tenkasi District.



3.The Tahsildar,
Alangulam Taluk
Tenkasi District.

4.The Block Development Officer,
O/o.The Block Development Officer,
Village Panchayats,
Alangulam
Tenkasi District

Copy to

The Section Officer
Writ Section
Madurai Bench of Madras High Court,
Madurai

+1 CC to M/s.SPL GP (SR-14371[F] dated 30/03/2021)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-14645[F] dated
31/03/2021)

W.P. (MD)No.7055 of 2021
Dated: 29.03.2021

MJ(CO)
KB(09.04.2021) 3P 8C