



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2021

CORAM :

The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM

AND

The Hon'ble Mrs.JUSTICE S.ANANTHI

W.P. (MD) No.7610 of 2021

Jeyaprakash

... Petitioner

Vs

1. The District Collector,
Collector Office,
Thenkasi District.
2. The Revenue Divisional Officer,
R.D.O Office, Sankarankovil,
Thenkasi District.
3. The Tahsildar,
Thiruvengadam Taluk,
Thenkasi District.
4. The Block Development Officer,
Block Development Office,
Kuruvikulam,
Thenkasi District.
5. Mr.Palraj
6. Mr.Chelladurai
7. Mr.Inbaraj

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 and 7 in Government Natham lands in Survey Nos.355/37 to the extent of 00277 hectare and 355/39 to the extent of 00549 hectare in South Kuruvikulam, Tiruvengadam Taluk, Thenkasi District based on the petitioner's representation dated 21.07.2020, and consequently, representation on 15.03.2021.



For Petitioner

: Mr.P.Ponraj

For respondents

: Mr.N.Shanmuga Selvam,
Additional Government Pleader
for R1 to R3
Mr.Sathiya Singh,
Additional Government Pleader
for R4

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ORDER

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

Heard Mr.P.Ponraj, learned Counsel appearing for the writ petitioner, Mr.N.Shanmuga Selvam, learned Counsel appearing for the respondents 1 to 3 and Mr.Sathiya Singh, learned Additional Government Pleader appearing for the fourth respondent.

2. In the light of the orders we propose to pass in the writ petition, notice to the respondents 5 and 5 is dispensed with.

3. The allegation made by the petitioner is that the respondents 5 and 6 have encroached upon the Government land, which according to the petitioner is classified as Government Natham, comprised in Survey No.355/37, measuring an extent of 00277 hectare and Survey No.355/39, measuring an extent of 00549 hectare in South Kuruvikulam, Thiruvengadam Taluk, Tenkasi District.

4. The learned Additional Government Pleader, who accepts notice for the respondents 1 to 3, on instructions from the third respondent, submits that an enquiry will be conducted in the matter and if there is any encroachment, action will be taken in accordance with law. It is further submitted that the petitioner is also an encroacher.

5.The learned Counsel appearing for the writ petitioner would submit that the said allegation is false and even assuming it is correct, the petitioner will not resist any enquiry to be conducted by the officials.

6. Accordingly, we dispose of the writ petition by directing the respondents 3 and 4 to conduct proper enquiry and proceed with



in accordance with law as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order. No costs.

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// True Copy //

Sd/-

Assistant Registrar (CS-I)

/ /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,
Collector Office,
Thenkasi District.
2. The Revenue Divisional Officer,
R.D.O Office, Sankarankovil,
Thenkasi District.
3. The Tahsildar,
Thiruvengadam Taluk,
Thenkasi District.
4. The Block Development Officer,
Block Development Office,
Kuruvikulam,
Thenkasi District.

+1 CC to M/s.PONRAJ, Advocate (SR-15582[F] dated 09/04/2021)
+1 CC to M/s.SPL GP (SR-15703[F] dated 09/04/2021)
+1 CC to M/s.SPL GP (SR-15648[F] dated 09/04/2021)

W.P.(MD) No.7610 of 2021
08.04.2021

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