



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.10275 of 2021

Ramasamy

.. Petitioner

Vs

1. The District Collector,
Dindigul District,
Dindigul.

2. The Revenue Divisional Officer,
Palani Revenue Division, Palani,
Dindigul District.

3. The Tahsildar,
Taluk Office, Vedasanthur,
Dindigul District.

4. Venkatesan

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing the respondents 1 to 3 to remove the encroachments made by the fourth respondent in survey No.954/42 of Lanthakottai village, Vedasantur Taluk, Dindigul District.

For Petitioner

: Mr.T.M.Madasamy

For respondents

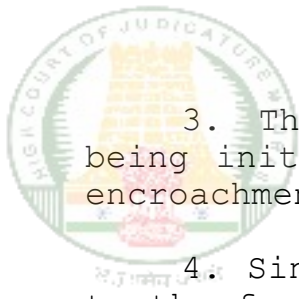
: Mr.A.K.Manickam,
Government Counsel
for R1 to R3

ORDER

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

We have heard Mr.T.M.Madasamy, learned counsel appearing for the petitioner and Mr.A.K.Manickam, learned Government Counsel appearing for the respondents 1 to 3.

2. The writ petitioner seeks for a direction upon the respondents 1 to 3, to remove the encroachments made by the fourth respondent in survey No.954/42 of Lanthakottai village, Vedasantur Taluk, Dindigul District.



3. The learned Government Counsel submitted that action is being initiated and the area will be surveyed and if there is any encroachment, it will be removed.

4. Since we are disposing of this writ petition without notice to the fourth respondent, we are not inclined to issue any positive direction. However, since the petitioner's complaint has already been taken on file, it is insisted upon the authority to take a decision in the matter at the earliest.

5. Therefore, we direct that the petitioner's representation be considered by the third respondent after issuing notice to the petitioner and the fourth respondent and if any survey of the property is to be conducted, it shall be done in the presence of the petitioner and the fourth respondent, after which, appropriate action be taken, if there is any encroachment. This direction will be complied with within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands disposed of. No 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.

To:

1. The District Collector,
Dindigul District,Dindigul.
2. The Revenue Divisional Officer,
Palani Revenue Division, Palani,Dindigul District.
3. The Tahsildar,
Taluk Office, Vedasanthur,Dindigul District.

+1 CC to M/s.SPL GP (SR-19917[F] dated 22/06/2021)

W.P.(MD) No.10275 of 2021

18.06.2021

KB(25.06.2021) 2P 5C