



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.9918 of 2021

G.Venkidusamy

... Petitioner

Vs.

1.The District Collector,
Trichy.

2.The Block Development Officer,
Marungapuri Union,
Trichy District.

3.The President,
Thalambadi Village Panchayat,
Marungapuri Panchayat Union,
Trichy District.

4.A.Thangavel

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachments made by the fourth respondent in the School and Library lands in Survey No.61/15 by implementing the proceedings issued by the second respondent in Na.Ka.No.A2/1649/2019 dated 28.09.2020.

For Petitioner : Mr.V.Panneer Selvam

For R1 & R2 : Mr.R.Baskaran

Standing Counsel for Government

O R D E R

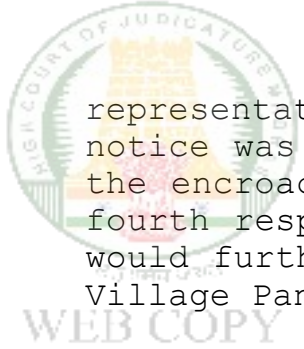
[Order of the Court was made by T.S.SIVAGNANAM, J.]

This Writ Petition filed as a Public Interest Litigation seeks for a direction upon the respondents 1 to 3 to remove the encroachments made by the fourth respondent.

2. We have heard Mr.V.Panneer Selvam, learned counsel appearing for the petitioner and Mr.R.Baskaran, learned Standing Counsel for Government appearing for the respondents 1 and 2.

3.In the light of the directions we propose to issue, notice to the respondents 3 and 4 is dispensed with.

4. The allegation is that the fourth respondent has encroached a land belonging to the School and Library. Representation was made by the petitioner and others to the second respondent, to take
notice on to remove the encroachment. Based on the said



representation, action was initiated by the second respondent and notice was issued to the fourth respondent on 28.09.2020, to remove the encroachment within fifteen days. However, it appears that the fourth respondent has not removed the encroachment. The petitioner would further state that the third respondent, the President of the Village Panchayat has not initiated any action.

5. In the light of the same, there shall be a direction to the third respondent to immediately take further action, pursuant to the direction issued by the second respondent, vide proceedings in Na.Ka.No.A2/ 1649/2019, dated 28.09.2020 and issue notice to the fourth respondent and if there is any encroachment, take action for removal of encroachment in accordance with law. This direction be complied with within a period of three [3] weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition stands disposed of. No costs.

[

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Trichy.

2.The Block Development Officer,
Marungapuri Union,
Trichy District.

3.The President,
Thalambadi Village Panchayat,
Marungapurai Panchayat Union,
Trichy District.

+1 CC to M/s.SPL GP (SR-19221[F] dated 11/06/2021)

W.P.[MD]No.9918 of 2021
09.06.2021

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