



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.10694 of 2021

Mrs.Kalyani

.. Petitioner

Vs

1. The District Collector,
Tenkasi, Tenkasi District.
2. The Revenue Divisional Officer,
Tenkasi, Tenkasi District.
3. The Tahsildar,
Tenkasi Taluk, Tenkasi District.
4. The Inspector of Police,
Kadayam Police Station,
Tenkasi District.
5. Mr.Periyasamy
6. Mrs.Tamilselvi

... 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 6 in Government Poramboke lane in Survey No.1011/15 situated in Keezhkadayam Part I Village, Tenkasi Taluk, Tenkasi District.

For Petitioner

: Mr.R.J.Karthick

For respondents

: Mr.A.K.Manickam,
Standing Counsel for State
Government
for R1 to R4



ORDER

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

We have heard Mr.R.J.Karthick, learned counsel appearing for the petitioner and Mr.A.K.Manickam, learned Government Counsel appearing for the respondents 1 to 4.

2. The writ petitioner by way of this writ petition seeks for a direction upon the respondents 1 to 4, to remove the encroachment made by the respondents 5 and 6 in Government poramboke lane in Survey No.1011/15 situated in Keezhkadayam Part I Village, Tenkasi Taluk, Tenkasi District.

3. The learned counsel appearing for the petitioner would submit that though the representation was taken note of, and the Revenue Divisional Officer by communication dated 17.10.2019, forwarded the same to the Tahsildar, Tenkasi, for taking action, till date, no action has been initiated.

4. Since we are disposing of this writ petition without notice to the respondents 5 and 6, we do not make any observation on the merits of the case as pleaded by the petitioner and leave it to the Authorities to take a decision in the matter.

5. Mr.A.K.Manickam, learned Government Counsel accepting notice for the respondents 1 to 4 submits that action is being taken to remove the encroachment and alleged that the petitioner is also an encroacher.

6. In the light of the stand taken by the Authorities, we direct the third respondent to issue notice to the petitioner and the respondents 5 and 6 and take appropriate action in accordance with law, as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

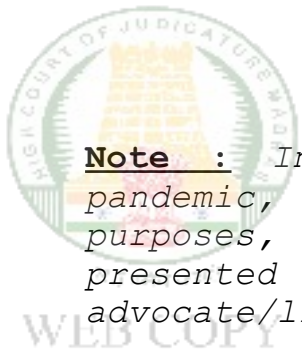
Assistant Registrar (CS III)

// 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,
Tenkasi, Tenkasi District.
2. The Revenue Divisional Officer,
Tenkasi, Tenkasi District.
3. The Tahsildar,
Tenkasi Taluk, Tenkasi District.
4. The Inspector of Police,
Kadayam Police Station,
Tenkasi District.

+1 CC to M/s.SPL GP (SR-20669[F] dated 30/06/2021)

W.P. (MD) No.10694 of 2021
28.06.2021

AS(05.07.2021) 3P 6C