



WEB COPY

W.P.(MD).No.11361 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2021

CORAM:

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

AND

The Hon'ble Mrs.JUSTICE S.ANANTHI

W.P. (MD) .No.11361 of 2021

K.Murugesan

...Petitioner

Vs.

1.The Collector,
Collector Office,
Madurai, Madurai District.

2.The Revenue Divisional Officer,
Revenue Divisional Officer,
Usilampatti, Madurai District.

3.The Thasildhar,
Taluk Office,
Peraiyur, Madurai District.

4.Perumal

5.Karuppaiha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a writ of Mandamus, directing the 1st to 3rd respondents to remove the encroachment made by the fourth and fifth respondents in Survey No.60/15 of V.Ammapatti Village, Peraiyur Taluk, Madurai District on the basis of the representation dated 20.05.2021 made by the writ petitioner within the stipulated period.

For Petitioner : Mr.B.Rajesh Saravanan

For Respondent : Mr.R.Baskaran,

Standing Counsel for R1 to R3.

O R D E R

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

With the consent on either side, the Writ Petition itself is taken up for final disposal.

2.Heard Mr.B.Rajesh Saravanan, learned Counsel appearing for the petitioner and Mr.R.Baskaran, learned Counsel appearing for the respondents 1 to 3.

3.The petitioner has filed this Writ Petition seeking for a writ of Mandamus, directing the respondents 1 to 3, to remove the encroachment made by the fourth and fifth respondents in Survey No.60/15 of V.Ammapatti Village, Peraiyur Taluk, Madurai District,

<https://hcservices.ecourts.gov.in/hcservices/>



on the basis of his representation dated 20.05.2021.

4.It is submitted that the fourth respondent is the President of the Village Panchayat and the fifth respondent is the former President of the Village Panchayat and both of them have illegally encroached the petitioner's land and put up fence poles. The petitioner is requesting for action being initiated. The Revenue Divisional Officer, has forwarded the representation dated 20.05.2021 given by the petitioner to the third respondent for necessary action by memo dated 30.06.2021. Complaining that no action has been taken, the petitioner is before us.

5.Due to pandemic situation, directions have been given to the authorities not to take any coercive action. However, from the photographs we find that the land is a vacant land. If the fourth respondent is the President of the Village Panchayat and he has caused an encroachment, then it is a serious matter. Therefore, without rendering any findings on the merits of the petitioner's complaint, we direct the third respondent to look into the matter, issue notice to the petitioner as well as the respondents 4 and 5 and after hearing the parties, shall take action in accordance with law as expeditiously as possible.

6.According, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

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 Collector,
Collector Office,
Madurai, Madurai District.

2.The Revenue Divisional Officer,
Revenue Divisional Officer,
Usilampatti, Madurai District.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Thasildhar,
Taluk Office,
Periayur, Madurai District.

WEB COPY

RD(23.07.2021) 3P 4C

W.P.(MD).No.11361 of 2021

W.P. (MD) .No.11361 of 2021
08.07.2021