



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.07.2021

CORAM :

**THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
AND**

The HON'BLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.13051 of 2021

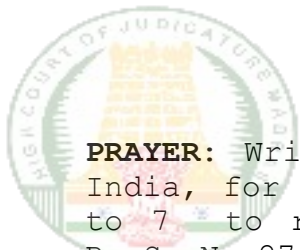
P.J.Geo John

.. Petitioner

Vs

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The District Revenue Officer,
Kanyakumari District,
Collectorate,
Nagercoil.
- 3.The Revenue Divisional Officer,
Padmanabhapuram Division,
Thuckalay,
Kanyakumari District.
- 4.The Tahsildar,
Thiruvattar Taluk,
Thiruvattar,
Kanyakumari District.
- 5.The Block Development Officer,
Thiruvattar Panchayat Union,
Thiruvattar,
Kanyakumari District.
- 6.The Executive Engineer,
Water Resource Organisation,
Public Works Department,
Nagercoil,
Kanyakumari District.
- 7.The Village Administrative Officer,
Aruvikkarai Village,
Aruvikkarai Post,
Kanyakumari District.
- 8.Chellappan
- 9.Godwin Prasad
- 10.Christy Bai
- 11.Ravi Chandran

.. Respondents



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, to direct the respondents 1 to 7 to remove the encroachments made by the respondents 8 to 11 in Re.Sy.No.275/2, Aruvikkarai Village, Thiruvattar Taluk, Kanyakumari District (C.P.Channel Kalladimamoodu to Mattoor Thottipalam by road) and consider the petitioner's representations dated 18.08.2020, 20.02.2021, 10.06.2021.

For Petitioner : Mr.D.Christenson Jugunu
For Respondents 1-7 : Mr.R.Baskaran
Standing Counsel for Government

ORDER

[Order of the Court was delivered by
The Hon'ble Chief Justice]

Mr.R.Baskaran, learned standing counsel for State appears on behalf of the respondent Nos.1 to 4 and 6 and takes notice on behalf of such respondents.

2.The grievance of the petitioner is that the private respondents have encroached on government land at survey No.275/2 at Aruvikkarai Village, Thiruvattar Taluk, Kanyakumari District and that the repeated entreaties of the petitioner to the official respondents have gone unheeded.

3.Mr.R.Baskaran says that the fourth respondent Tahsildar would be the appropriate authority to inquire into the matter and take appropriate steps.

4.Accordingly, the petitioner is permitted to carry a fresh representation detailing the perceived encroachment to the fourth respondent Tahsildar within two weeks from date, whereupon the fourth respondent will conduct an inquiry and pass a speaking order in accordance with law within eight weeks of the receipt of the representation after affording a hearing to the petitioner and to any other person likely to be affected by the order.

5.Since the merits of the petitioner's grievance have not been gone into and the Tahsildar has been required to afford an opportunity of hearing to any one who may be affected by the order that he may pass, no previous notice has been issued to the private respondents. However, the petitioner should forward copies of the petition and this order to the private respondents as expeditiously as possible.

6.W.P. (MD)No.13051 of 2021 is disposed of, without any order as to costs.

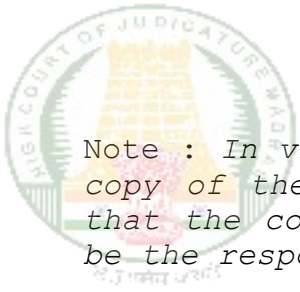
Sd/-

Assistant Registrar (CRL)

// 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.

WEB COPY

- To
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W.P. (MD) No.13051 of 2021

29.07.2021

SSS

RS (06.08.2021) 3P-8C