



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.14416 of 2020

WEB COPY

V.Chidambaram

... Petitioner

Vs.

- 1.State of Tamilnadu, represented by
The Principal Secretary,
Department of Adi Dravidar Welfare,
State of Tamilnadu, Fort St. George,
Chennai - 600 009.
- 2.The Tahsildar,
Office of the Tahsildar,
Karambakudi Taluk,
Pudukottai District.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Pudukottai.
- 4.The Special Tahsildar,
Department of Adi Dravidar Welfare,
Aranthangi Tahsildar Office Complex,
Aranthangi.
- 5.The Inspector of Police,
Karambakudi Police Station,
Karambakudi Taluk,
Pudukottai District.
- 6.The Sub-Inspector of Police,
Karambakudi Police Station,
Karambakudi Taluk,
Pudukottai District.
- 7.Murugesan
- 8.Ramesh @ Jeyaraj

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents No.2,3,4,5 and 6 to remove the encroachment caused by the Respondents No.7 and 8 in the Public land and Common Pathway leading to house of the petitioner located in the Survey No.227/2B and many other houses, in Pilaviduthi West Village, Karambakudi Taluk, Pudukottai District in accordance with law, within the time stipulated by this Hon'ble Court.

For Petitioner

: Mr.R.Alagumani

For Respondent Nos.1 to 6

: Mr.A.K.Manickam

Standing Counsel for Government

For Respondent Nos.7 & 8

: Mr.S.Deenadhayalan



ORDER

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

Heard Mr.R.Alagumani, learned Counsel appearing for the petitioner, Mr.A.K.Manickam, learned Standing Counsel for Government, appearing for respondent Nos.1 to 6 and Mr.S.Deenadhayalan, learned counsel for respondent Nos.7 and 8.

2.The petitioner has filed this writ petition seeking for a direction upon Respondent Nos.2 to 6 to remove the encroachment caused by Respondent Nos.7 and 8 in the Public land and Common Pathway leading to house of the petitioner located in the Survey No.227/2B and many other houses, in Pilaviduthi West Village, Karambakudi Taluk, Pudukottai District in accordance with law, within a time frame.

3.Though a representation has been given for removal of encroachment and there is also a public agitation, the authorities have not look into the matter. This compelled the petitioner to approach this Court with this Writ Petition.

4.The seventh and eighth respondents have been branded as encroachers. The learned counsel for respondent Nos.7 and 8 submitted that petitioner himself is an encroacher and respondent Nos.7 and 8 are ready to face any enquiry as they have got sufficient documents to establish their rights.

5.In the light of the above, we direct respondent Nos.2 to 4 to take note of the representation of the petitioner dated 16.07.2020 and issue notice to the petitioner and respondent Nos.7 and 8 and conduct survey of the entire property and thereafter, proceed to remove the encroachments, if any, in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6.The Writ Petition stands disposed of with the above directions. No costs.

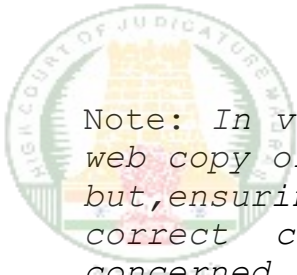
Sd/-

Assistant Registrar (W)

// 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

- 1.The Principal Secretary,
Department of Adi Dravidar Welfare,
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Chennai - 600 009.
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Karambakudi Taluk,
Pudukottai District.
- 6.The Sub-Inspector of Police,
Karambakudi Police Station,
Karambakudi Taluk,
Pudukottai District.

+1 CC to M/s.S.DENNADHAYALAN, Advocate (SR-22780[F] dated 15/07/2021)

+1 CC to M/s.SPL GP (SR-22918[F] dated 16/07/2021)

W.P.[MD]No.14416 of 2020

14.07.2021

MGJ(26.07.2021) 3P 9C