



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2021

CORAM :

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**THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE M.DURAI SWAMY**

W.P.(MD) No. 14477 of 2021
and
W.M.P.(MD).No.11417 of 2021

V. Malaichamy .. Petitioner

Vs

1. The District Collector,
Collectorate,
Madurai District.
2. The District Revenue Officer,
Madurai,
Madurai District.
3. The Tahsildar,
Melur Taluk Office,
Madurai District.
4. The Block Development Officer,
Block Development Office,
Melur, Madurai District.
5. The Sub Register,
Narasingampatti,
Madurai District.
6. Subash
7. Thilagavathy

.. 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 6 and 7 in Survey No.681/1, 22, 23, 16 and S.No. 681/24 in Narasingampatti, Melur Taluk, Madurai District and take necessary steps to restore the Government Poramboke lands and water bodies by considering the petitioner's representation dated 22.07.2021, within the time stipulated by this Court.



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W.P.(MD)No14477 of 2021

For Petitioner : Mr. G. Kaleeswaran
For RR : Mr. P. Thilak Kumar
government pleader
For R1 and R2
Mr. S. Ramasamy
For R7
R6- No appearance

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

The grievance of the petitioner is that there is encroachment in land at several survey numbers in Narasingapatti, Melur Taluk of Madurai District.

2. The private respondents are represented and claim to have purchased the property for due consideration and say that they are in possession of the documents of title.

3. Since the petitioner complains of encroachment and the same is denied by the private respondents, the third respondent Tahsildar should cause an inquiry to be made in the matter upon receipt of a fresh complaint that may be filed by the petitioner with the Tahsildar within a fortnight from date. The inquiry to be conducted by the Tahsildar should be upon notice to both the petitioner herein and the private respondents. In the event the third respondent Tahsildar discovers that there is any encroachment, the Tahsildar will take appropriate steps in the matter or refer the matter to any superior authority for expeditious action to be taken in accordance with law.

4. At any rate, the Tahsildar will communicate a reasoned order following the inquiry to be made by him, to both the petitioner and the private respondents, within a period of three months of the receipt of the petitioner's representation in terms of this order.

5. WP(MD) No.14477 of 2021 is disposed of without any order as to costs. W.M.P.(MD).No.11417 of 2021 is closed.

Sd/-

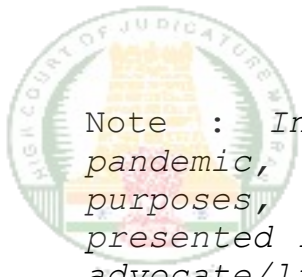
Assistant Registrar (P&A)

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/ /2021

Sub Assistant Registrar(CS)

mnr



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.

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To

1. The District Collector,
Collectorate,
Madurai District.
2. The District Revenue Officer,
Madurai,
Madurai District.
3. The Tahsildar,
Melur Taluk Office,
Madurai District.
4. The Block Development Officer,
Block Development Office,
Melur, Madurai District.
5. The Sub Register,
Narasingampatti,
Madurai District.

+1 CC to M/s.KALEESWARAN.G, Advocate (SR-30430[F] dated 28/09/2021)

+1 CC to M/s.SPL.GP (SR-30493[F] dated 28/09/2021)

W.P.(MD) No. 14477 of 2021
and

W.M.P. (MD) .No.11417 of 2021
27.09.2021

NSN(CO)
KB(12.10.2021) 3P 8C