



WEB COPY

W.P.(MD) No.15631 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2021

CORAM :

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

AND

THE HON'BLE MR.JUSTICE M.DURAIWAMY

W.P.(MD) No.15631 of 2021

J.Varadarajan

... Petitioner

Vs

1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2.The Tahsildar,
Manapparai Taluk,
Tiruchirappalli District.

3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Vannankovil,
Srirangam,
Tiruchirappalli.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus to direct the respondents to remove the encroachment made in and around the water ways of the Natham Pond situated in Survey No.400/19 to an extent of 0.22.73 ares and the Government School building and common pathway in the petitioner's village situated in Survey Nos.75/22, 75/23, 75/25, 75/26 and other encroachments made in another Pond nearby Vinayagar and Eswaran Temples situated at Samuthiram Village in Survey Nos.75/24, 75 and Survey No.60 situated at Melakuttai, Samuthiram Village, Manapparai Taluk, Tiruchirappalli District, based on the petitioner's representation dated 26.07.2021 made to the respondents through registered post with acknowledgement due within the time limit that may be stipulated by this Court.

For Petitioner : Mr.S.P.Naveenkumar
For Respondents : Mr.P.Thilakkumar
Government Pleader

ORDER

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

The petitioner complains of large-scale encroachment in the petitioner's village of Samuthiram in Manapparai Taluk of Tiruchirappalli.

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



2. According to the petitioner, parts of the government land and government pathway at survey Nos.75/22, 75/23, 75/25 and 75/26 at Samuthiram Village and land at survey Nos.75/24, 75 and 60 at Melakuttai have been completely run over by encroachers and the respondent authorities have taken no action despite the petitioner's and other villagers' representations.

3. Mr. P. Thilak Kumar, learned Government Pleader, takes notice on behalf of the respondents and submits that the second respondent Tahsildar should look into the matter.

4. Accordingly, W.P.(MD) No.15631 of 2021 is disposed of by permitting the petitioner to make a fresh, detailed representation in respect of the matters complained of herein to the second respondent Tahsildar of Manapparai Taluk within a period of four weeks from date. Immediately upon receipt of the representation, the relevant Tahsildar will conduct an inquiry upon prior notice to the petitioner, the alleged encroachers and others likely to be affected by his order. The Tahsildar will forward a reasoned order to the petitioner, the encroachers and all others likely to be affected thereby within ten weeks of the receipt of the petitioner's representation in terms of this order.

5. In the event the Tahsildar finds any encroachment, the Tahsildar will report the matter to the appropriate authorities who should take immediate, expeditious steps in accordance with law to remove the encroachments.

There will be no order as to costs.

Sd/-

Assistant Registrar (A.D I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps/vsm

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,
Tiruchirappalli District,
Tiruchirappalli.

2.The Tahsildar,
Manapparai Taluk,
Tiruchirappalli District.

3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Vannankovil,
Srirangam,
Tiruchirappalli.

+1 CC to M/s.SPL.GP (SR-32829[F] dated 27/10/2021)

W.P. (MD) No.15631 of 2021
26.10.2021

KS (CO)

RS/JC (09.11.2021) 3P 5C