



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2021

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

WEB COPY

W.P.(MD)No.16379 of 2020

and

W.M.P.(MD)No.13697 of 2020

S.Victor Xavier Jameela

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Tirunelveli District.

2.The Sub-Collector,
Sub-Collector Office,
Cheranmahadevi,
Tirunelveli District.

3.The Tahsildar,
Radhapuram Taluk Office,
Tirunelveli District.

4.The Assistant Director of Panchayat,
O/o.Assistant Director of Panchayat,
Tirunelveli District.

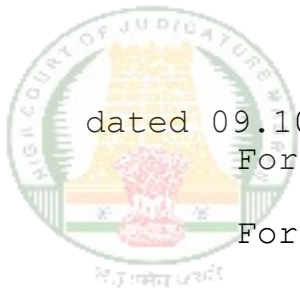
5.The Block Development Officer,
O/o. Block Development Officer,
Radhapuram Taluk,
Tirunelveli District.

6.The Divisional Engineer,
State Highways,
Tirunelveli District.

7.M.Jebastin Anand

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to remove the illegal encroachment made by the seventh respondent in Survey Nos.64/1, 527/1 and 527/2, which are classified as Mayana Poramboke (Burial Ground), Panchayat Union Poramboke Land and State Highways Road respectively, which is situated in Terku Kallikulam Village, Radhapuram Taluk, Tirunelveli District, by considering the representation made by the petitioner,



dated 09.10.2020, within the time limit stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For R1 to R4 and R6 : Mr.K.P.Krishnadoss
Special Government Pleader

For R5 : Mr.A.Thiagarajan
Government Advocate

For R7 : Mr.G.Thalaimutharasu

* * * * *

ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

On the complaint made by the petitioner, respondent No.4 has directed respondent No.5 to take appropriate action and file a report with regard to the alleged attempt made by respondent No.7 for making encroachment, vide his proceedings in Na.Ka.No.A8/2132/2020, dated 21.10.2020.

2.Though more than a year has lapsed, no action has been taken.

3.The learned counsel appearing for the petitioner submitted that even now, the aforesaid compliance has been not been made.

4.Considering the aforesaid submission, we call upon respondent No.5 to comply with the directive of respondent No.4 within a period of four weeks from the date of receipt of a copy of this order, if the same has not already been done. Thereafter, action will have to be taken by the other official respondents to remove the encroachment said to have been made by respondent No.7, within a period of eight weeks, by following due process of law.

5.This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

smn2

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

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



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,
Collectorate,
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- 2.The Sub-Collector,
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O/o. Block Development Officer,
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Tirunelveli District.
- 6.The Divisional Engineer,
State Highways,
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+1 CC to M/s.I.PINAYGASH, Advocate (SR-9609[F] dated 09/03/2021)

W.P. (MD) No.16379 of 2020

08.03.2021

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