



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)No.17354 of 2021

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R.Ramanathan

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Melur at Othakadai,
Madurai District.

3.The Tahsildar,
Melur Taluk,
Madurai District.

4.The Block Development Officer (Village Panchayat),
Melur Panchayat Union,
Melur,
Madurai District.

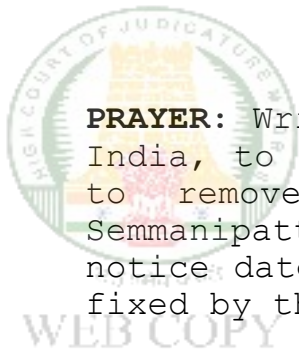
5.The Revenue Inspector,
Keezhavalavu Firka,
Melur Taluk,
Madurai District.

6.The Village Administrative Officer,
Semmanipatti,
Muthusampatti Post,
Melur Taluk,
Madurai District.

7.The Land Surveyor,
Melavalavu Firka,
Melur Taluk,
Madurai District.

8.The Panchayat President,
Semmanipatti Panchayat,
Madurai District.

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the eighth respondent to remove the encroachment in Survey Nos.712/4 and 21/26, Semmanipatti Village, Melur Taluk, Madurai District, pursuant to the notice dated 11.08.2021 issued by him within the stipulated time as fixed by this Court.

For Petitioner : Mr.C.Mayilvahana Rajendran
For RR 1 to 7 : Mr.P.Thilak Kumar
Government Pleader
For R - 8 : Mr.B.Saravanan
Government Advocate

ORDER

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

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the eighth respondent to remove the encroachment in Survey Nos.712/4 and 21/26, Semmanipatti Village, Melur Taluk, Madurai District, pursuant to the notice dated 11.08.2021 within a time frame.

2.Mr.C.Mayilvahana Rajendran, learned counsel appearing for the petitioner submitted that though the Division Bench of this Court by order dated 24.02.2021 made in W.P(MD)No.1297 of 2020 observed that no encroachment on Government land or any water body should be permitted and all efforts should be made to remove the encroachers from such places, the eighth respondent has not removed the encroachment in the above referred land till today.

3.It is also brought to the notice of this Court that the eighth respondent had issued notices dated 11.08.2021 to the encroachers, by name, Malaisamy; Samikannu, S/o.Balan; Perumal S/o.Sonai Muthu and Perumal S/o.Periyakaruppan, however, he has not removed the encroachment till today.

4.Mr.P.Thilak Kumar, learned Government Pleader, takes notice for the respondents 1 to 7.

5.Mr.B.Saravanan, learned Government Advocate taking notice for the eighth respondent submitted that the respondents would take appropriate steps to remove the encroachment made in Survey Nos.712/4 and 21/26 within four weeks time.

6.Recording the submission made by the learned Government Advocate appearing for the eighth respondent, we direct the eighth respondent to take action to remove the encroachment made by the encroachers within a period of six weeks from the date of receipt of a copy of this order.



7. With these observations, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (P & A)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

indu/ps

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,
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**W.P (MD) No.17354 of 2021
24.09.2021**

PS (CO) /RS (08.10.2021) 4P 9C