



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2021

CORAM

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.19791 of 2020

Ganesan

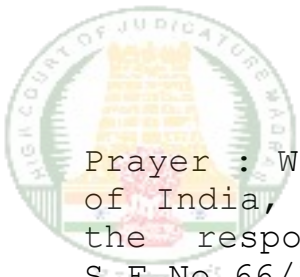
... Petitioner

Vs.

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The District Revenue Officer,
Pudukkottai District,
Pudukkottai.
- 3.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.
- 4.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.
- 5.The Block Development Officer,
Village Panchayats,
Aranthangi Panchayat Union,
Aranthangi,
Pudukkottai District.
- 6.The President,
Silattur Panchayat Board,
Silattur Panchayat,
Aranthangi Taluk,
Pudukkottai District.

- 7.Anjalaiammal
- 8.Prasanna
- 9.Chellaiya @ Karuppaiah
- 10.Periyasamy
- 11.Ravichandran
- 12.Banumathi
- 13.Loganathan
- 14.Ramasamy

... Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent Nos.1 to 6 to remove the encroachment in S.F.No.66/16 of Silattur Village, Aranthangi Taluk, Pudukkottai District made by the respondent Nos.7 to 14 by following the due process of law within time specified by this Hon'ble Court.

For Petitioner : Mr.M.Suresh

For Respondent Nos.1 to 4 : Mr.K.Mu.Muthu
Additional Government Pleader

For Respondent Nos.7 to 10 : Mr.P.Murugesan
and 12 to 14

* * * * *

ORDER

(Order of the Court was made by T. S. SIVAGNANAM, J.)

The writ petition has been filed, seeking for issuance of a Writ of Mandamus, directing respondent Nos.1 to 6 to remove the encroachment in S.F.No.66/16 of Silattur Village, Aranthangi Taluk, Pudukkottai District made by respondent Nos.7 to 14, by following the due process of law within a time frame.

2.Learned Additional Government Pleader appearing for respondent Nos.1 to 4 on instructions submitted that survey has already been conducted on 07.10.2020. This fact has been admitted by respondent Nos.7 to 10 and 12 to 14 in their counter affidavit in paragraph No.4. However, they would state they did not receive any notice.

3.Admittedly, the survey has been conducted in the presence of local public, which means every member of local public present at that time. The authorities cannot be excepted to give notice to each and every house and then conduct survey, which is impossible. A survey has been conducted and further proceedings have been initiated by the authorities for removal of encroachments, if any. Therefore, we direct respondent Nos.7 to 14 to go and approach the fifth respondent within (7) seven days from the date of receipt of a copy of this order and produce the documents in their favour and if no worthwhile document is produced to establish their possession, then, the fifth respondent shall remove the encroachments, if any, in accordance with law within (3) three days therefrom.



4.The Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

Note: (i) 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,
Pudukkottai District, Pudukkottai.
- 2.The District Revenue Officer,
Pudukkottai District, Pudukkottai.
- 3.The Revenue Divisional Officer,
Aranthangi, Pudukkottai District.
- 4.The Tahsildar, Aranthangi Taluk,
Pudukkottai District.
- 5.The Block Development Officer,
Village Panchayats,
Aranthangi Panchayat Union,
Aranthangi, Pudukkottai District.

+1 CC to M/s.SPL GP (SR-17123[F] dated
22/04/2021)

W.P. (MD)No.19791 of 2020

21.04.2021

tp(CO)

TR(26.04.2021) 3P 7C