



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.18433 of 2020

and

W.M.P. (MD)No.15428 of 2020

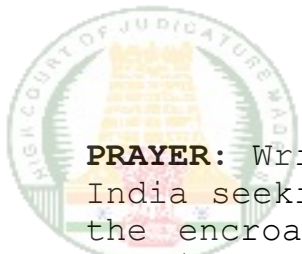
A.Alavandhar

: Petitioner

Vs.

- 1.The Additional Chief Secretary /
The Commissioner of Land Administration,
O/o. the Commissioner of Land Administration,
Ezhilagam, Cheppauk,
Chennai - 600 005.
- 2.The District Collector,
O/o. the District Collector Office,
Theni District, Theni.
- 3.The Personal Assistant to District Collector,
O/o. the District Collector Office,
Theni District, Theni.
- 4.The District Revenue Officer,
O/o. the District Collector Office,
Theni District, Theni.
- 5.The Revenue Divisional Officer,
O/o. the Revenue Divisional Office,
Periyakulam Taluk,
Theni District.
- 6.The Tahsildar,
Tahsildar Office,
Periyakulam Taluk,
Theni District.
- 7.The Block Development Officer (Village Panchayat),
Panchayat Union,
Periyakulam,
Theni District.
- 8.The Executive Engineer (PWD),
Manjalaru Vadinila Kottam,
Periyakulam,
Theni District.

: Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents to remove the encroachment in S.Nos.1051/2, 1052/2, 1055/1, 1080/1, 1084/2, 1085/1, 1090/2, 1092 situated at Vadagarai Bit-1 and 2, Periyakulam Taluk, Theni District and restore the same to its original position as "Odai and Vandipathai" in conformity with the proceedings of the sixth respondent in Na.Ka.No.1085/2019, dated 26.11.2019 and consequently, to take appropriate action to restore the patta in respect of the above said property in the name of the Government.

For Petitioner : Mr.Mohammed Imran
for M/s.Ajmal Associates

For Respondents : Mrs.J.Padmavathi Devi,
Special Government Pleader

ORDER

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

The petitioner seeks removal of encroachment made, by the respondents, over the land vesting with the Public Works Department and the Block Development Officer, Periyakulam / respondents 8 & 7 respectively.

2. The report furnished by the learned Special Government Pleader from the sixth respondent dated 15.12.2020 indicates two factors, namely, the existence of encroachments and the lands is vested either with the 7th respondent or with the 8th respondent, as the case maybe.

3. In such view of the matter, we direct the aforesaid respondents, namely, respondents 7 & 8 to take appropriate action, in the manner known to law, to remove the encroachment, after putting the encroachers on notice, within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



gk

To

1.The Additional Chief Secretary /
The Commissioner of Land Administration,
O/o. the Commissioner of Land Administration,
Ezhilagam, Cheppauk,
Chennai - 600 005.

2.The District Collector,
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O/o. the Revenue Divisional Office,
Periyakulam Taluk,
Theni District.

6.The Tahsildar,
Tahsildar Office,
Periyakulam Taluk,
Theni District.

7.The Block Development Officer (Village Panchayat),
Panchayat Union,
Periyakulam,
Theni District.

8.The Executive Engineer (PWD),
Manjalaru Vadinila Kottam,
Periyakulam,
Theni District.

+1 CC to SGP (SR-5150[F] dated 15/02/2021)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-5229[F] dated
15/02/2021)

W.P. (MD)No.18433 of 2020
12.02.2021

KM (24.02.2021) 3P 11C