



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH  
AND  
THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.(MD)No.18180 of 2019

Dheeppan Chakaravarthi

... Petitioner

Vs.

1.The District Collector,  
Madurai District,  
Madurai.

2.Revenue Divisional Officer,  
Madurai (Melur),  
Madurai District.

3.The Tahsildar,  
Melur Taluk,  
Melur, Madurai District.

4.Mohammed Sikandar, S/o.Nathar

5.The Block Development Officer,  
Melur, Madurai District.

... Respondents

[R5 is *suo motu* impleaded vide order dated  
11.01.2021, made in W.P.(MD)No.18180/2019]

**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 3 to remove the encroachments made by the fourth respondent in the Government Poromboke lands, comprised in Survey No.74/8, measuring an extent of 2.50 cents situated at Kallampatti Village, Melur Taluk, Madurai District and put the same to its original stage so that it can be effectively used by the public, based on the petitioner's representation, dated 29.07.2019, within a stipulated time.

|                   |   |                                                  |
|-------------------|---|--------------------------------------------------|
| For Petitioner    | : | Mr.R.Krishnan                                    |
| For R1 to R3 & R5 | : | Mr.K.Mu.Muthu<br>Additional Government Pleader   |
| For R4            | : | Mr.M.Mahaboob Athiff<br>for M/s.Ajmal Associates |

\* \* \* \* \*



**ORDER**

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

The petitioner seeks removal of encroachment made by respondent No.4.

2.The learned Additional Government Pleader appearing for respondent Nos.1 to 3 and 5, after getting instructions from respondent Nos.1 to 3, submitted that there is indeed existence of encroachment made by respondent No.4. However, the authority to take action is respondent No.5. A Communication has also been sent by respondent No.5 to respondent No.4, for taking action.

3.In such view of the matter, we call upon respondent No.5 to take appropriate action to remove the encroachment said to have been made by respondent No.4, within a period of eight weeks from the date of receipt of a copy of this order.

4.This Writ Petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (Records)

// 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 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,  
Madurai District,  
Madurai.

2.The Revenue Divisional Officer,  
Madurai (Melur),  
Madurai District.



3.The Tahsildar,  
Melur Taluk,  
Melur,  
Madurai District.

4.The Block Development Officer,  
Melur,  
Madurai District.

+1 CC to THE SPECIAL GOVERNMENT PLEADER(SR-6428[F] dated 22/02/2021)

+1 CC to Mr.R.KRISHNAN, Advocate ( SR-6756[F] dated 23/02/2021 )

**Order made in**  
**W.P. (MD) No.18180 of 2019**  
**19.02.2021**

NSM(CO)  
SRS (11/03/2021) 3P : 7C