



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 28.06.2021

CORAM:

The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM

AND

The Hon'ble Mrs.JUSTICE S.ANANTHI

W.P. (MD) .No.18462 of 2019

P.Tirumurthy

...Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.
2. The Revenue Divisional Officer,
Palani,
Dindigul District.
3. The Tahsildar,
Palani Taluk Office,
Palani,
Dindigul District.
4. Thanga Loganathan
5. Easwaran

...Respondents

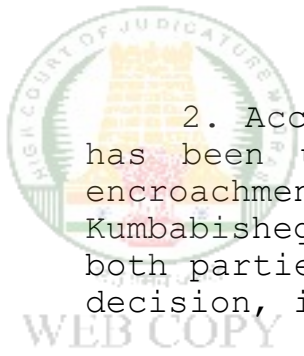
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, directing the respondents 1 to 3 to remove the encroachment made by the respondents 4 and 5 in S.F.No.184/37 at Pappampatti Village, Palani Taluk, Dindigul District, based on the Petitioner's representation dated 11.07.2019.

For Petitioner : Mr.S.Karthik
For Respondents : Mr.R.Baskaran
Standing Counsel for Govt.
For R1 to R3.

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM,J.**]

The petitioner, by way of this Writ Petition, prays for a direction upon the respondents 1 to 3 to remove the encroachment made by the respondents 4 and 5 in S.F.No.184/37 at Pappampatti Village, Palani Taluk, Dindigul District, based on his representation dated 11.07.2019.



2. According to the learned counsel for the petitioner, a board has been unauthorized by erected by the respondents 4 & 5 and encroachments have been made. Since the problem arose during the Kumbabishegam festival, a Peace Committee Meeting was convened and both parties have agreed not to precipitate the matter and await the decision, in this writ petition.

3. It will be very difficult for this Court to decide the controversy, based on the affidavits. It is for the Revenue Authorities, which has to conduct an enquiry and ascertain as to whether the Government property or Common property has been encroached. If it is so, immediately the fence has to be removed and the Board has to be removed. Therefore, we direct the third respondent to conduct an enquiry into the matter, after notice to the petitioner and the respondents 4 & 5 and if necessary, conduct an enquiry and if it is ascertained that there is any encroachment or other public property or Government property, appropriate action has to be taken for eviction in accordance with law within a period of twelve weeks.

4. With these directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CSI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/kmm

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.

+1 CC to M/s.S.KARTHIK, Advocate (SR-20508[F] dated 29/06/2021)

To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Revenue Divisional Officer,
Palani,
Dindigul District.



3. The Tahsildar,
Palani Taluk Office,
Palani,
Dindigul District.

+1 CC to M/s.S.KARTHIK, Advocate (SR-20508[F] dated 29/06/2021)

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KB(07.07.2021) 3P 5C