



WEB COPY

W.P.(MD)No.19695 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2021

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.19695 of 2020

Neerathulingam

... Petitioner

Vs.

1.The District Collector,
Thenkasi Collector Office,
Thenkasi District.

2.The Revenue Divisional Officer,
R.D.O. Office, Sankarankovil,
Thenkasi District.

3.The Tahsildar,
Tahsildar Office,
Sankarankovil Taluk,
Thenkasi District.

4.The Superintendent of Police,
O/o. Superintendent of Police,
Thenkasi District.

5.Mrs.Saraswathi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the officials respondents to conduct Survey and Remove the encroachments made by 5th Respondent along with some other private persons in Oorani (Pond) extend is 0.45.5 hectare situated at Survey No.540/9 in Panthapuli Village, Sankarankovil Taluk, Tenkasi District, Consequently, desilting the Oorani based on the petitioner's representation dated 03.02.2020, 01.12.2020 and 10.12.2020 within a stipulated time as fixed by this Hon'ble Court.

For Petitioner

: Mr.P.Ponraj

For Respondents 1 to 4

: Mr.K.Mu.Muthu

Additional Government Pleader



O R D E R

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

The grievance of the petitioner is with respect to the alleged encroachment made by respondent No.5 over the land, which has been classified as Oorani.

2.Though the learned Additional Government Pleader appearing for the respondents 1 to 4 submitted that the encroachment has been removed, the learned counsel for the petitioner produced photographs to show that still there are standing crops.

3.In view of the categorical submission made by the learned Additional Government Pleader, we are not inclined to pass any further orders. However, if any standing crops available in the place, wherein possession has been retaken by the official respondents, they are at liberty to deal with it in the manner known to law since respondent No.5 has no interest in the same. We further direct the Block Development Officer, Sankarankovil to undertake the exercise by sending proposals to the official respondents for the purpose of preserving the said place as Oorani by taking appropriate action. Proposal in this regard will have to be sent within two months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

- 1.The District Collector,
Thenkasi Collector Office,
Thenkasi District.
- 2.The Revenue Divisional Officer,
R.D.O. Office, Sankarankovil,
Thenkasi District.
- 3.The Tahsildar,
Tahsildar Office,
Sankarankovil Taluk,
Thenkasi District.
- 4.The Superintendent of Police,
O/o. Superintendent of Police,
Thenkasi District.

+1 CC to SPL GP (SR-2142[F] dated 27/01/2021)

W.P. (MD)No.19695 of 2020

21.01.2021

KM (04.02.2021) 3P 6C