



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD) No.23226 of 2019

Rukkumani

.. Petitioner

Vs

1. The District Collector,
Trichy District, Trichy.
2. The Revenue Divisional Officer,
Musiri Revenue Division Office,
Musiri, Trichy District.
3. The Tahsildar,
Musiri Taluk Office,
Musiri, Trichy District.
4. The Block Development Officer,
T.Pettai Panchayat Union,
T.Pettai, Trichy District.

5. Natarajan

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by the fifth respondent in survey No.505/3 classified as 'Kali Natham' situated at Alagapatti Village, Musiri Taluk, Trichy District on the basis of the petitioner's representation dated 14.10.2019.

For Petitioner

: Mr.K.Arunraj

For respondents

: Mr.A.K.Manickam,
Standing Counsel for
Government
for R1 to R4

Mr.J.Barathan for R5



ORDER

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

Heard Mr.K.Arunraj, learned counsel appearing for the petitioner; Mr.A.K.Manickam, learned Government Counsel appearing for the respondents 1 to 4 and Mr.J.Barathan, learned counsel appearing for the fifth respondent.

2. The petitioner has filed this writ petition praying for a direction upon the respondents 1 to 4 to remove the encroachment made by the fifth respondent in Survey No.505/3, classified as 'Kali Natham' situated at Alagapatti Village, Musiri, Trichy District.

3. A written instruction has been given by the Revenue Tahsildar, Musiri Taluk, Trichy District to the learned Government Counsel stating that the land is the patta land of the private respondent.

4. The learned counsel appearing for the writ petitioner submitted that the step taken by the Authorities is incorrect and contrary to the order of the Revenue Divisional Officer, Musiri, Trichy District, dated 09.12.2003.

5. The third respondent is directed to send a written reply to the writ petitioner, as informed to the learned Government Counsel within one week from the date of receipt of a copy of this order. On receipt of the same, the petitioner is given liberty to work out his remedies in accordance with law.

6. With the above directions, this writ petition stands disposed of. No costs.

Sd/-

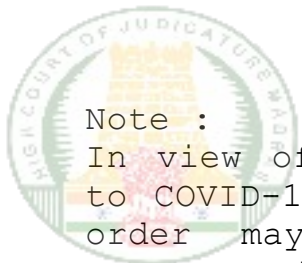
Assistant Registrar (CS-III)

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/ /2021

Sub Assistant Registrar(CS)

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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,
Trichy District, Trichy.
2. The Revenue Divisional Officer,
Musiri Revenue Division Office,
Musiri, Trichy District.
3. The Tahsildar,
Musiri Taluk Office,
Musiri, Trichy District.
4. The Block Development Officer,
T.Pettai Panchayat Union,
T.Pettai, Trichy District.

+1 CC to MR.T.R.JEYAPALAM, Advocate (SR-21114[F] dated 05/07/2021)

+1 CC to SPL GP (SR-21349[F] dated 06/07/2021)

W.P. (MD) No.23226 of 2019
02.07.2021

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