



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2022

CORAM:

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE
AND
THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.10174 of 2022

Periyasamy

..Petitioner

Vs.

1. The District Collector,
Salem District, Salem-636 001.
2. The Revenue Divisional Officer,
Attur, Salem District-636 102.
3. The Tahsildar,
Thalaivasal Taluka,
Thalaivasal,
Salem District-636 112.
4. Velu
5. Karuppaiah
6. Duraisamy
7. Shankar

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the first to third respondents to remove the encroachments in Odai Poramboke lands situated at SF.No.152/1 and 152/2 at Puliyanurichi Village, Thalaivasal Taluka, Salem District.

For petitioner : Mr.C.Prabhu

For respondents: Mr.P.Muthukumar,
State Govt. Pleader
assisted by
Mr.A.Selvendran,
Spl.G.P., for RR-1 to 3

ORDER

(The Order of the Court was made by The Honourable Chief Justice)

The Writ Petition is filed alleging encroachment of Odai Poramboke land situated in S.Nos.152/1 and 152/2 at Puliyanurichi Village, Thalaivasal Taluka, Salem District.



2. Pursuant to the direction of this Court, the learned Government Pleader appearing for the respondents 1 to 3 submitted a status report. It is contended that no encroachment is found in S.No.152/1 classified as Odai Poramboke and so far as S.No.152/2 is concerned, it is classified as "Tharisu" and no agricultural activity has been carried on at present and rather, an unused hut is on the land measuring about 150 Sq.M. The further statement has been made to maintain the Odai Poramboke S.No.152/1 and no encroachment would be permitted therein and so far as S.No.152/2 is concerned, it would be utilised for future Government purpose.

3. In the light of the above, and on perusing the photographs enclosed along with the Writ Petition, we do not find that the encroachment exists on the Odai Poramboke land in the above two survey numbers.

4. However, this Writ Petition is disposed of, with a direction to the respondents that, in future also, the said Odai Poramboke land in S.No.152/1 would be maintained and kept free from encroachment. So far as S.No.152/2 is concerned, it would be also used for the purpose it is meant for. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

cs/hvk

To

1. The District Collector,
Salem District, Salem-636 001.
2. The Revenue Divisional Officer,
Attur, Salem District-636 102.
3. The Tahsildar,
Thalaivasal Taluka,
Thalaivasal,
Salem District-636 112.

+1cc to the Government Pleader, S.R.No.32530

W.P.No.10174 of 2022

NRJK(CO)

RGA(10/06/2022)