



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2022

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

W.P.No.9335 of 2022

Rajasekar

..Petitioner

Vs.

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Revenue Divisional Officer,
Harur Revenue Division,
Dharmapuri District.
3. The Tahsildar,
Pappireddippatti Taluk,
Dharmapuri District.
4. The Block Development Officer,
Kadathur Panchayat Union,
Kadathur, Pappireddippatti Taluk,
Dharmapuri District.
5. The President,
Osahalli Village Panchayat,
Pappireddippatti Taluk,
Dharmapuri District.
6. Raja
7. Munirathnam
8. Sankar
9. Krishnan
- 10.Murugan

..Respondents

Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 1 to 5 to take appropriate action to remove the encroachment in



Survey Nos.183/1 & 183/3 situated at Bosinaickanahalli Village, Osahalli Village Panchayat, Pappireddippatti Taluk, Dharmapuri District based on the petitioner's representation dated 01.03.2022 forthwith.

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For Petitioner : Mr.C.Prabakaran

For Respondents: Mr.P.Muthu Kumar,
Government Pleader (R4 & R5)

Mr.A.Selvendran,
Special Government Pleader (R1 to R3)

O R D E R

(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition as a Public Interest Litigation to issue a Writ of Mandamus to direct the respondents 1 to 5 to take appropriate action to remove the encroachment in Survey Nos.183/1 & 183/3 situated at Bosinaickanahalli Village, Osahalli Village Panchayat, Pappireddippatti Taluk, Dharmapuri District based on the petitioner's representation dated 01.03.2022.

2.Mr.C.Prabakaran, learned counsel appearing for the petitioner submitted that though the petitioner has given his representation as early as on 01.03.2022, the respondents 3 & 4 have not taken any steps to remove the encroachment.

3.Mr.A.Selvendran, learned Special Government Pleader taking notice for the respondents 1 to 3 and Mr.P.Muthu Kumar, learned Government Pleader taking notice for the respondents 4 & 5 submitted that so far as Survey No.183/3 is concerned, there is no encroachment and in Survey No.183/1 a small portion of land has been encroached by the 8th respondent.

4.The learned counsel for the petitioner submitted that the submission made by the learned Government Pleader and learned Special Government Pleader appearing for the respondents may be recorded and the respondents 3 & 4 may be directed to take steps to remove the encroachment made in Survey No.183/1 at the earliest.

5.Having regard to the submissions made by the learned counsel on either side, recording the submissions made by the learned Government Pleader and the learned Special Government Pleader for the respondents to the effect that the authorities had already removed the encroachment made in Survey No.183/3, the respondents 3 & 4 are directed to consider the petitioner's representation dated 01.03.2022 for removing the encroachment



made by the 8th respondent in Survey No.183/1 in accordance with law.

6. With these observations, the Writ Petition is disposed of.
No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

va

To

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Revenue Divisional Officer,
Harur Revenue Division,
Dharmapuri District.
3. The Tahsildar,
Pappireddippatti Taluk,
Dharmapuri District.
4. The Block Development Officer,
Kadathur Panchayat Union,
Kadathur, Pappireddippatti Taluk,
Dharmapuri District.
5. The President,
Osahalli Village Panchayat,
Pappireddippatti Taluk,
Dharmapuri District.

+1cc to M/s.E.Kannadasan, Advocate, S.R.No.25572

+1cc to the Government Pleader, S.R.No.26163

W.P.No.9335 of 2022

RR(CO)
RGA(21/04/2022)