



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.11133 of 2022

R.Palanisamy

.. Petitioner

Vs

1. The District Revenue Officer,
Collectorate Building,
Coimbatore-641 018.
2. The Revenue Divisional Officer (Coimbatore North)
Revenue Divisional Office,
Kavundampalayam,
Coimbatore.
3. The Tahsildar,
Office of the Taluk Tahsildar,
Annur Taluk,
Coimbatore.
4. The Village Administrative Officer,
Sarkarsamakulam Village,
Coimbatore District.
5. The Revenue Inspector,
Sarkarsamakulam Village,
Coimbatore District.
6. The Zone Surveyor,
(Ullvatta Alavar)
Sarkarsamakulam Village,
Coimbatore District.

7.S.Thenmozhi Selvi

8.N.Nandakumar

9.Saravana Kumar

10.Marappan

.. Respondents



Prayer : Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing respondents 1 to 6 to take appropriate effective action to remove encroachments made in Poramboke Cart track in S.F.No.485/2 situated at Sarkar Samakulam Village, Annur Taluk, Coimbatore District in accordance with law within the time that may be fixed by this Court.

For the Petitioner : Mr.R.Nandhakumar

For the Respondents : Mr.J.Ravindran
Additional Advocate General
assisted by
Mr.A.Selvendran
Special Government Pleader
for respondents 1 to 6

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This writ petition has been filed to seek a direction on the respondents 1 to 6 to remove the encroachments made in the poramboke cart track situated at S.F.No.485/2 of Sarkar Samakulam Village, Annur Taluk, Coimbatore District.

2. A representation alleging encroachments on the land by the respondents 7 to 10 was made by the petitioner on 8.3.2022. It is alleged that no action pursuant to it has been taken.

3. Learned Additional Advocate General submitted that if the representation is pending consideration, they will take action in accordance with law and for that, they would first conduct a survey to find out whether the encroachment exists or not and if the encroachment is found, they will proceed to remove the same, after complying with the provisions of law.

4. In view of the statement made by learned Additional Advocate General, there is no necessity to issue notice on the respondents 7 to 10.



5. Accordingly, the writ petition is disposed of with a direction to the respondents 1 to 6 to conduct a survey of the land given above in reference to the representation of the petitioner and if any encroachment is found, then the respondents 1 to 6 would be at liberty to proceed further in the matter in accordance with law, after issuing notice to the encroachers. There will be no order as to costs.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To:

- 1.The District Revenue Officer,
Collectorate Building, Coimbatore-641 018.
- 2.The Revenue Divisional Officer (Coimbatore North)
Revenue Divisional Office,
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- 3.The Tahsildar,
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Coimbatore District.
- 6.The Zone Surveyor,
(Ullvatta Alavar)
Sarkarsamakulam Village,
Coimbatore District.

+1cc to Mr.R.Nandhakumar, Advocate SR. No.29433
+1cc to Government Pleader SR. No.30972

W.P.No.11133 of 2022

RGN (CO)
PR (06/05/2022)