



WEB COPY

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.10589 of 2022

V.Rajasekar

.. Petitioner

Vs

1. The District Collector,
Krishnagiri District,
Krishnagiri.

2. The Tahsildar,
Denkanikottai Taluk,
Denkanikottai,
Krishnagiri District.

3.V.Rudramurthy

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 1 and 2 to remove the encroachments in the poramboke land which is known as "Thippan Kodigai Eri" and nearby common pathway situated at Bodichipallai Village, Denkanikottai Taluk, Krishnagiri District.

For the Petitioner : Mr.C.Munusamy

For the Respondents : Mr.J.Ravindran
Additional Advocate General
assisted by
Mr.A.Selvendran
Special Government Pleader
for respondents 1 and 2

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 and 2 to remove the encroachment in the poramboke land which is known as Thippan Kodigai Eri and nearby common



pathway situated at Bodichipalli Village, Denkanikottai Taluk, Krishnagiri District.

2. A representation alleging encroachment on the land by the third respondent was made by the petitioner on 26.03.2022. 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 third respondent.

5. Accordingly, the writ petition is disposed of with a direction to the respondents 1 and 2 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 and 2 would be at liberty to proceed further in the matter in accordance with law, after issuing notice to the encroacher. There will be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

1. The District Collector,
Krishnagiri District,
Krishnagiri.

2. The Tahsildar,
Denkanikottai Taluk,
Denkanikottai,
Krishnagiri District.

+1cc to the Government Pleader, S.R.No.30970

W.P.No.10589 of 2022

JP-II(CO)

CT 10/05/2022