



WEB COPY



W.P.No.27810 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.27810 of 2022

Deivanai

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Erode.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Gobichettipalayam.
3. The Superintendent of Police,
Erode District,
Erode.
4. The Tahsildar,
Office of the Tahsildar,
Gobichettipalayam.

5. Shanmugam

6. Murthy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated 04.08.2022 and take action to restore the



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land assigned in favour of the petitioner's husband by the assignment order dated 29.08.1985.

For Petitioner : Mr.M.Gnanasekar
For R1 to R4 : Mr.U.Bharanidharan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents 1 to 4 to consider the petitioner's representation dated 04.08.2022 and take action to restore the land assigned in favour of the petitioner's husband by the assignment order dated 29.08.1985.

2. The case of the petitioner is that the land in Survey No.278/8, Plot No.44, Block No.44, of an extent of 2 cents was assigned by the fourth respondent/Tahsildar, Gobichettypalayam on 29.08.1985 in favour of the petitioner. Subsequently, the Patta was also issued by the Revenue Authority in the name of the petitioner's husband, vide Patta No.91. While so, the respondents 5 and 6 are belonging to ruling party and tried to encroach upon the petitioner's land and refuse to vacate the aforesaid land. Therefore, the petitioner made representations/complaint dated 02.05.2022 and 06.06.2022 before the second respondent, seeking for removal of the encroachers from the aforesaid land. Inspite of such representations, the second respondent,



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vide order dated 15.06.2022, directed the fourth respondent, as to ascertain whether there is any encroachment made by the private respondents and to report the same to the petitioner and the fourth respondent office and further directed to pass appropriate orders. However, till date, the order of the second respondent was not implemented. Hence, the petitioner filed the present Writ Petition.

3. The learned counsel for the petitioner submitted that it would suffice, if this Court issues a direction to the fourth respondent to implement the order dated 15.06.2022 and pass orders on the same within a stipulated time frame that to be fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondents 1 to 4 has no serious objection for the said order being passed.

5. Considering the limited request made by the petitioner, this Court is inclined to issue a direction to the fourth respondent to implement the order dated 15.06.2022, if there is no legal impediment and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.



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6. With the above observations and direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No
Speaking order: Yes/ No
jd

To

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3. The Superintendent of Police,
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Erode.
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M.DHANDAPANI, J.
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