



W.P. No.34148 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2022

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.34148 of 2022

R.Kanagarasu

... Petitioner

versus

- 1 The District Collector,
Erode District.
- 2 The District Revenue Officer,
Erode District.
- 3 The Revenue Divisional Officer,
Gobichettipalayam,
Erode District.
- 4 The Tahsildar (Revenue)
Anthiyur Taluk,
Erode District
- 5 The Assistant Executive Engineer,
P.W.D. (WRO)
Bhavani Taluk, Erode District.



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6 The Assistant Engineer,
P.W.D. (WRO)
Irrigation Section,
Anthiyur 638 501

7 Periyasamy

8 Palanisamy

9 Selambanan

10 Prakash

11 Sivanandam

12 Muthusamy

13 Jayammal

14 Gopalakrishnan

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 1st respondent to remove the encroachments made in Ennamangalam Odai situated in R.S.No.364, 368 and 369 at Ennamangalam Village, Erode District by considering the petitioner's representation dated 03.01.2022, 21.03.2022, 05.09.2022 and 03.10.2022 in view of the order passed by the fourth respondent dated 23.11.2018.

For the Petitioner : Mr.S.Kousik

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,

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for respondents 1 to 6
ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition praying for a Writ of Mandamus directing the first respondent to remove the encroachments made in Ennamangalam Odai situated in R.S.No.364, 368 and 369 at Ennamangalam Village, Erode District by considering the petitioner's representation dated 03.01.2022, 21.03.2022, 05.09.2022 and 03.10.2022.

2. According to the petitioner, encroachments were made in R.S.No.364, 368 and 369, at Ennamangalam Village, Erode District. The above lands are classified as Odai Poromboke, and because of such encroachments, flash flood from Burgur Hills and Anthiyur forest runs into the agricultural lands and causes extensive damage in the village. The petitioner has made several representations in this regard, to the District Collector, Erode District, to take action to remove the encroachments. However, the representations sent by the petitioner have only gathered dust and there is no attempt made to remove the encroachments.



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3. Mr.P.Muthukumar, learned State Government Pleader submits that the representation of the petitioner would be considered and orders would be passed by the District Collector, Erode District in two weeks' time.

4. Accordingly, the first respondent is directed to consider the representations of the petitioner and pass orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
21.12.2022

Index: Yes/No
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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY, J.

(tar)

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