



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P (MD)No.3011 of 2022

WEB COPY

S.Selvaraj

.. Petitioner

Vs

1.The District Collector,
District Collector Office,
Ramanathapuram District,
Ramanathapuram.

2.The Assistant Director,
Administration of Town Panchayat and
Union Offices,
Sivagangai District, Sivagangai.

3.The Thasildar,
Thiruvadanai Taluk,
Ramanathapuram District.

4.The Block Development Officer,
Thiruvadanai Block,
Ramanathapuram District.

5.The President,
Kukudi Panchayat,
Thiruvadanai Taluk,
Ramanathapuram District.

6. Arokiadoss @ Jeyamathavan

7. Vedamuthu

8. Bilomeenal

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus thereby directing the respondents 1 to 5 herein to remove all the encroachments made by respondents 6 to 8 in S.Nos.31/1A, 31/3B, 31/4B, 31/8 and 31/20, situated at Adi Dravidar Keelkudiruppu, Kukudi Panchayat, Thiruvadanai Taluk, Ramanathapuram District, within a stipulated period fixed by this Court.

For Petitioner

: Mr.S.M.Anantha Murugan

For Respondents

: Mr.S.R.A.Ramachandran,
Additional GovernmentPleader
for R1 to R4



ORDER

(Made by R.VIJAYAKUMAR,J.)

1. The present writ petition has been filed seeking a mandamus directing the respondents 1 to 5 to remove the alleged encroachment made by respondents 6 to 8 in certain survey numbers in Adi Dravidar Keelkudiruppu, Kukudi Panchayat, Thiruvadanai Taluk, Ramanathapuram District.

2. On 23.02.2022, learned Additional Government Pleader, on instructions, submitted that the alleged encroachment has already been removed in the month of June 2021 itself. The third respondent viz., the Tahsildar has filed counter affidavit in which in para : 7 it has been specifically stated that as per the orders of this Court in W.P.(MD) No. 9989 of 2020, the encroachment has already been removed on 28.06.2021. The third respondent in paragraphs 10 and 11 has also pointed out that there is a faction dispute between the present petitioners group and the respondents 6 to 8. The encroachments that were made in the tank have already been removed. Now the present encroachment alleged by the writ petitioner falls within the patta land of the sixth respondent over which the State has no control. The submissions of learned Additional Government Pleader as well as the averments made in the counter of the third respondent are recorded. Thus, we find no merit in this writ petition.

3. In view of above, writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssm/21

To

1.The District Collector,
District Collector Office,
Ramanathapuram District,
Ramanathapuram.

2.The Assistant Director,
Administration of Town Panchayat and
Union Offices,
Sivagangai District, Sivagangai.



3.The Thasildar,
Thiruvadanai Taluk,
Ramanathapuram District.

4.The Block Development Officer,
Thiruvadanai Block,
Ramanathapuram District.

+1 CC to M/s.S.M. ANANTHA MURUGAN, Advocate (SR-20228[F]
dated 21/04/2022)

+1 CC to M/s.SPL.GP. (SR-20523[F] dated 22/04/2022)

W.P(MD)No.3011 of 2022
21.04.2022

SG(CO)

GC(05.05.2022) 3P 7C