



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2022

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THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

and

THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P(MD)No.13276 of 2021

and

WMP(MD) Nos.19149 and 10274 of 2021

D.Meenachisundaram

... Petitioner

Vs.

1. The District Collector,
Pudhukkottai, Pudhukkottai District.

2. The District Revenue Officer,
Pudhukkottai, Pudhukkottai District.

3. The Revenue Divisional Officer,
Pudhukkottai, Pudhukkottai District.

4. The Thashildar,
Alankudi, Pudhukkottai District..

5. The Village Administrative Officer,
Kulanthai Vinayagar Kottai,
Pudhukkottai District.

6. The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Pudhukkottai District.

7. Thangarasu

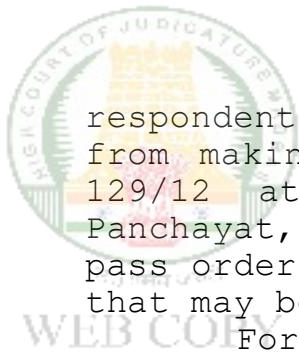
8. Irudayaraj

9. Mariyalouis

10. Selvinraj

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the official respondents 1 to 5 to remove the encroachment made by the



respondents 7 to 10 and consequently forbear the sixth respondent from making construction of any type in Survey Nos.127, 128 and 129/12 at Thavalaipallam Village, Kulanthai Vinayagar Kottai Panchayat, Alangudi, Pudukottai District, of temple poromboke and pass orders on merits and in accordance with law, within the period that may be stipulated by this Honourable Court.

For Petitioner

: Mr.G.Sivaraja

For Respondents

: Mr.N.GA.Nataraj

Government Advocate for R1 to R5

Mr.G.Mohan Kumar for R6

Mr.A.Xavier Antonysamy for R7

No appearance for R8 to R10

O R D E R

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a Writ of Mandamus, directing the official respondents 1 to 5 to remove the encroachment made by the respondents 7 to 10 and consequently, forbear the sixth respondent from making any type of construction in Survey Nos.127, 128 and 129/12, of the temple poromboke land, at Thavalaipallam Village, Kulanthai Vinayagar Kottai Panchayat, Alangudi, Pudukottai District, within a time frame.

2. Heard Mr.G.Sivaraja, learned counsel for the petitioner, Mr.N.GA.Nataraj, learned Government Advocate appearing for the respondents 1 to 5; Mr.G.Mohan Kumar, learned counsel for the sixth respondent and Mr.A.Xavier Antonysamy, learned counsel for the seventh respondent.

3. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 5 submitted that the authorities concerned will conduct survey in the land in question and if there is any encroachment, necessary action will be taken for removal of the encroachment, by following due process of law.

4. Recording the said submission of the learned Government Advocate appearing for the respondents 1 to 5, this Writ Petition is disposed of with a direction to the respondents 3 and 4 to conduct a survey of the land in question, in the presence of the petitioner, respondents 7 to 10 and any others concerned, and if there is any encroachment as alleged by the petitioner, necessary action has to be taken by the authorities for removal of



encroachment, after affording sufficient opportunity to the parties concerned and by following due process of law. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected M.P.s are closed.

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Sd/-

Assistant Registrar (CS-I)

// True Copy //

/11/2022

Sub Assistant Registrar (CS)

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To

1. The District Collector,
Pudhukkottai, Pudhukottai District.

2. The District Revenue Officer,
Pudhukkottai, Pudhukottai District.

3. The Revenue Divisional Officer,
Pudhukkottai, Pudhukottai District.

4. The Thashildar,
Alankudi, Pudhukottai District..

5. The Village Administrative Officer,
Kulanthai Vinayagar Kottai,
Pudhukottai District.

6. The Regional Manager,
Tamil Nadu Civil Supplies Corporation,
Pudhukottai District.

+1 CC to M/s.G.MOHAN KUMAR, Advocate (SR-49431[F] dated 14/10/2022)

+1 CC to M/s.SPL.GP (SR-49682[F] dated 14/10/2022)

+1 CC to M/s.M.JERIN MATHEW, Advocate (SR-49747[F] dated 17/10/2022)

W.P (MD) No.13276 of 2021
13.10.2022

AMS (31.10.2022) 3P 10C