



W.P.(MD)No.14551 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.10.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**
and
THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P.(MD)No.14551 of 2021

S.Govindaraj

... Petitioner

Vs.

1. The District Collector,
Virudhunagar, Virudhunagar District.

2. The Revenue Divisional Officer,
Sivakasi, Virudhunagar District.

3. The Tahsildar,
Sivakasi, Virudhunagar District.

4. The President,
Sevallur Village Panchayat,
Sivakasi Taluk, Virudhunagar District.

5. Ramasamy

6. Palanikumar

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to remove the encroachments made in survey No.1014 and 920 of Sevalur Village, Sivakasi



W.P.(MD)No.14551 of 2021

Taluk, Virudhunagar District, classified as Odai Poramboke, Oorani and grazing land encroached by the respondents 5 and 6, by considering the representation of the petitioner dated 09.07.2021, with a time frame that may be stipulated by this Honourable court.

For Petitioner : Mr.S.C.Herold Singh

For Respondents 1 to 4 : Mr.P.Thilak Kumar
Government Pleader

For Respondents 5 & 6 : No appearance

ORDER

(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 respondents to remove the encroachments made by the respondents 5 and 6 in Survey Nos.1014 and 920 of Sevalur Village, Sivakasi Taluk, Virudhunagar District, which is classified as Odai Poramboke, Oorani and grazing land, by considering his representation dated 09.07.2021, with a time frame.

2. Heard Mr.S.C.Herold Singh, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 4.



W.P.(MD)No.14551 of 2021

3. The respondents 1 to 3 have filed a counter-affidavit, wherein, at

paragraph Nos.9 and 10, it has been averred as follows:-

“9. It is submitted that my predecessor in K.Dis. 81/8809/2017 dated 11.2017 has directed the Zonal Deputy Tahsildar, Sivakasi to evict the encroachment made in S.No. 1014 Gracing Ground Poramboke. In view of Covid-19, follow up action could not be taken.

10. It is submitted that the Zonal Deputy Tahsildar, Sivakasi and the Revenue Inspector. Mangalam and the Village Administrative officer, Sevalur have been instructed by the third respondent in his Rc.No.B1/3533/2021 dated 21-09-2021 to take immediate action to evict the encroachments made in S.No.1014 and S.No.920/3B of Sevalur Village, Sivakasi Taluk following the procedure laid down under Tamilnadu Land Encroachment Act.”

The learned Government Pleader also submitted that steps are being taken to remove the encroachments in question.

4. In view of the above, the Writ Petition is disposed of with a direction to the respondents 1 to 4 to proceed with removal of encroachments in



W.P.(MD)No.14551 of 2021

question, after affording sufficient opportunity to the petitioner, respondents 5 and 6 and all other 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.

[R.M.D., J.] [J.S.N.P., J.]
27.10.2022

Internet : Yes / No
Index : Yes / No
pkn

To

1. The District Collector,
Virudhunagar, Virudhunagar District.
2. The Revenue Divisional Officer,
Sivakasi, Virudhunagar District.
3. The Tahsildar,
Sivakasi, Virudhunagar District.
4. The President,
Sevallur Village Panchayat,
Sivakasi Taluk, Virudhunagar District.



WEB COPY



W.P.(MD)No.14551 of 2021

R.MAHADEVAN, J.

and

J.SATHYA NARAYANA PRASAD, J.

pkn

W.P(MD)No.14551 of 2021

27.10.2022