



W.P(MD)No.22633 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2022

CORAM:

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

**W.P(MD)No.22633 of 2022
and
W.M.P(MD)No.16795 of 2022**

M.Ramesh

... Petitioner

VS.

1.The State represented by its Secretary,
Department of Land and Administration,
Ezhilagam,
Chepauk,
Chennai.

2.The District Collector,
Sivagangai District,
Sivagangai.

3.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.

4.The Tahsildar,
O/o.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent to complete the proceedings in O.Mu.A3/2529/2021 dated 07.09.2021 pending before him and consequently direct the respondents 1 to 4 to restore the land in Survey Nos.93/2 and 93/3, Managiri – Sukkanenthal, Karaikudi Taluk, Sivagangai District as Government land and utilize it for the welfare of the Scheduled Caste people, by considering the representation of the petitioner, dated 07.04.2021.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

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

Mr.P.Thilak Kumar, learned Government Pleader, takes notice for the respondents. By consent of both the parties, the Writ Petition is taken up for final disposal at the time of admission itself.

2. The prayer made in this Writ Petition is to issue a Writ of Mandamus, directing the third respondent to complete the proceedings in O.Mu.A3/2529/2021 dated 07.09.2021 pending before him and consequently direct the respondents 1 to 4 to restore the land in Survey



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WEB COPY Nos.93/2 and 93/3, Managiri – Sukkanenthal, Karaikudi Taluk, Sivagangai District as Government land and utilize it for the welfare of the Scheduled Caste people, by considering the representation of the petitioner, dated 07.04.2021.

3. According to the learned counsel appearing for the petitioner, the people of the Villages namely Managiri, Thalakovur and Illangudi were made several complaints against the encroachment of the land in Survey No.93 situated at Managiri – Sukkanenthal, Karaikudi Taluk, Sivagangai District, but no action was taken. Hence the petitioner sent a representation dated 07.04.2021 to the respondents requesting to remove the abovesaid encroachment and till date, it has not been considered. Hence, this writ petition.

4. The learned counsel for the petitioner submitted that it would suffice, if the representation of the petitioner is directed to be considered by the respondents, dated 07.04.2021, within a time frame, for which, the learned Government Pleader appearing for the respondents has no objection.



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5. Recording the above submissions, this Court directs the respondents to consider the representation of the petitioner dated 07.04.2021 and if they found any encroachment as pointed out by the petitioner, after issuing notice, conduct survey and also after affording an opportunity of hearing to all the parties concerned, shall pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

[R.M.D.,J.] & [J.S.N.P.,J.]
27.09.2022

Index : Yes / No
Internet : Yes
ps



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To

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R.MAHADEVAN,J.

and

J.SATHYA NARAYANA PRASAD,J.

ps

**ORDER MADE IN
W.P(MD)No.22633 of 2022**

27.09.2022