



**W.P.(MD) No.23166 of 2022**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 30.09.2022**

**CORAM:**

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

**AND**

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

**W.P.(MD)No.23166 of 2022**

A.Alagarsamy

... Petitioner

**-Vs-**

- 1.The District Collector,  
Office of the District Collector,  
Dindigul District.
- 2.The District Revenue Officer,  
Office of the District Revenue Officer,  
Dindigul District.
- 3.The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Dindigul Town Division, Dindigul District.

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4.The Special Tahsildar,  
Office of the Special Tahsildar,  
Adidraavidar Welfare Unit-I,  
Dindigul District.

5.The Special Land Surveyor,  
Adidraavidar Welfare Unit-I,  
Dindigul District.

6.Khan Mohammed

7.Jamal Mohammed

... Respondents

**PRAYER :** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the illegal encroachments created by the respondents 6 and 7 in house Plot land which is allotted for Adidraavidar people at Vembarpatti Village Survey No.645/3C, Dindigul District as per the proceedings of the 4<sup>th</sup> respondent in Na.Ka.No. 2289/1994/A, dated 04.05.2021 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For R1 to R5 : Mr.G.V.Vairam Santhosh,  
Additional Government Pleader

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**ORDER**

**[Order of the Court was made by R.MAHADEVAN, J.]**

This Writ Petition has been filed seeking a direction to the respondents 1 to 5 to remove the illegal encroachments made by the respondents 6 and 7 in the house plot, allotted for the Adidravidar people in Survey No.645/3C situated at Vembarpatti Village Dindigul District, as per the proceedings of the 4<sup>th</sup> respondent in Na.Ka.No.2289/1994/A, dated 04.05.2021 in accordance with law, within a time frame.

2.Mr.G.V.Vairam Santhosh, learned Additional Government Pleader takes notice for the respondents 1 to 5. Having regard to the nature of the order proposed to be passed, notice to the respondents 6 and 7 is dispensed with.

3.By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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4. According to the petitioner, the 4<sup>th</sup> respondent passed an award in Award No.4/80-81, dated 16.03.1981, classifying the lands in Survey No.645/3C measuring an extent of 2.17 acres in Vembarpatti Village, Dindigul District as Harijan Natham in the revenue records, for providing it as house sites to the Harijan. The respondents 6 and 7 encroached the said lands and constructed a house. Hence, the petitioner made a representation dated 16.12.2019 to the 1<sup>st</sup> respondent to remove the said encroachment made by the respondents 6 and 7. The 4<sup>th</sup> respondent sent a communication to the 5<sup>th</sup> respondent to conduct a survey and file a status report in this regard. During survey, it was found out that the respondents 6 and 7 are encroachers. Since no steps have been taken thereafter for removal of the encroachment, the petitioner sent another representation dated 28.06.2022 to the respondents 1, 4 and 5, however, the same has not been considered so far. Hence, this Writ Petition.

5. The learned Additional Government Pleader for the respondents 1 to 5, on instructions, would submit that the petitioner's representations dated

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16.12.2019 and 28.06.2022, respectively are now under consideration and the revenue authorities are now taking steps to remove the encroachments.

6.Recording the aforesaid submission, this Writ Petition is disposed of, directing the official respondents to remove the encroachments after issuing due opportunity of hearing to all the parties concerned and by due process of law within a period of eight (8) weeks from the date of receipt of a copy of this order.  
No costs.

**[R.M.D., J.] & [J.S.N.P., J.]**  
**30.09.2022**

Index : Yes / No

Internet : Yes / No

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**To:**

1.The District Collector,

Office of the District Collector,

Dindigul District.

2.The District Revenue Officer,

Office of the District Revenue Officer,

Dindigul District.

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**AND**

**J.SATHYA NARAYANA PRASAD, J.**

*Myr*

3.The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Dindigul Town Division, Dindigul District.

4.The Special Tahsildar,  
Office of the Special Tahsildar,  
Adidravidar Welfare Unit-I,  
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5.The Special Land Surveyor,  
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