



W.P.(MD) No.23251 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.23251 of 2022

Thangaraj

... Petitioner

Vs.

- 1.The District Collector,
O/o. The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Ramanathapuram Revenue Division,
Ramanathapuram District.
- 3.The Tahsildhar,
Ramanathapuram Taluk Office,
Ramanathapuram,
Ramanathapuram District.
- 4.Jeyalakshmi



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WEB CUM 5.Gandhimathi

6.Murugavalli

7.Manickam

8.Amirthavalli

9.Irulayee

10.Latha

11.Manonmani

12.Nagaeshwari

13.Ranjitham

14.Lakshmi

15.Alangaravalli

16.Elangammal

17.Indhirani

18.Lakshmi

19.Ramayee

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the



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impugned order, issued by the 3rd respondent, in Na.Ka. B9/6590/2021 dated 23.12.2021 and quash the same as illegal and consequently to direct the respondents 1 to 3, to cancel the Patta issued to the respondents 4 to 19 and other encroachers, if any in Survey No.151/2, which has been classified as “Salai Poramboke land” in the revenue records and to remove the encroachments made over the same, within a time frame as fixed by this Honble Court.

For Petitioner : Mr.P.Santhana Krishnan

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Govt. Pleader for R1 to R3

Mr.J.Barathan for R4 to R9 and R12 to R18
No Appearance for R10, R11 & R19

ORDER

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

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the impugned order, issued by the 3rd respondent, in Na.Ka.B9/6590/2021, dated 23.12.2021, and quash the same as illegal and consequently to direct the respondents 1 to 3, to cancel the patta issued to the respondents 4 to 19 and other encroachers, if any,



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in Survey No.151/2, which has been classified as “Salai Poramboke land” in the revenue records and to remove the encroachments made over the same, within a time frame.

2. After making some submissions, the learned counsel for the petitioner petitioner submitted that the petitioner is inclined to approach the first respondent, before whom, the representation of the petitioner dated 14.05.2022 is pending and it is suffice, if the first respondent is directed to consider and dispose of the said representation on merits and in accordance with law within a time frame.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the representation of the petitioner dated 14.05.2022 would be considered by the official respondents and appropriate action will be taken to remove the encroachment, if any, in the place in question by due process of law, within a time frame.



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4. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to consider and dispose of the representation of the petitioner dated 14.05.2022, on merits and in accordance with law. If there is any encroachment in the place in question, the authorities concerned shall remove the same, after affording sufficient opportunity to all the parties and by following due process of law. Such an exercise shall be completed 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.]

vsm

24.11.2022

To

- 1.The District Collector,
O/o. The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Ramanathapuram Revenue Division,
Ramanathapuram District.



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R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

vsm

3.The Tahsildhar,
Ramanathapuram Taluk Office,
Ramanathapuram,
Ramana

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