



W.P.(MD) No.23939 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.23939 of 2022

T.Chandrasekaran

... Petitioner

-Vs-

1.The District Collector,
Tiruchirappalli.

2.The District Revenue Officer,
Tiruchirappalli.

3.The Revenue Divisional Officer,
Musiri Division, Tiruchirappalli.

4.The Tahsildar,
Musiri Taluk,
Tiruchirappalli.

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5.The Block Development Officer,
Thathaiyangarpet,
Tiruchirappalli.

6.The President,
Mangalam Village Panchayat,
Thathaiyangarpet Union,
Tiruchirappalli.

7.MIT College of Agriculture and Technology,
Represented by its Director,
Vellalapatti Post, Mangalam Village,
Musiri Taluk, Tiruchirappalli.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 6 to complete the proceedings initiated in Na.Ka.A4/4903/2022, dated 22.08.2022 by removing the encroachment made by the seventh respondent in S.No.64, 65 & 72 classified as Vaari Poromboke and Kuttai Poromboke respectively and remove the encroachment in Temple Land in S.No.71/1 of Mangalam Village, Musiri Taluk, Tiruchirappalli District within the time frame fixed by this Court and consequently direct the respondents 1 to 6 to conduct survey and demarcate the boundaries of the Water Body and Water Channel in S.No.72, 64 & 65 at

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Mangalam Village, Musiri Taluk, Tiruchirappalli District respectively by fixing the boundaries and restore the same to its original position.

For Petitioner : Mr.K.K.Udayakumar

For R1 to R5 : Mr.P.Thilak Kumar

Government Pleader

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition is filed seeking issuance of a Writ of Mandamus, to direct the respondents 1 to 6 to complete the proceedings initiated in Na.Ka.A4/4903/2022, dated 22.08.2022 by removing the encroachment made by the 7th respondent in S.Nos.64, 65 & 72 classified as Vaari Poromboke and Kuttai Poromboke respectively and remove the encroachment in Temple Land in S.No.71/1 of Mangalam Village, Musiri Taluk, Tiruchirappalli District and consequently, direct the respondents 1 to 6 to conduct a survey and demarcate the boundaries of the Water Body and Water Channel in S.Nos.72, 64 & 65 at Mangalam Village, Musiri Taluk, Tiruchirappalli District respectively by fixing the boundaries and restore the same to its original position.

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2.Today, when the matter was taken up for hearing, the learned Government Pleader for the respondents 1 to 5 submitted that based on the representations of the petitioner dated 22.03.2022, 13.06.2022 and 27.06.2022, the 3rd respondent has issued an eviction notice dated 05.11.2022 under Section 6 of the Land Encroachment Act, 1905.

3.In view of the above, we are of the view that since action has been taken by the 3rd respondent by issuing eviction notice to the encroachers, no further order is required in this Writ Petition. Accordingly, this Writ Petition stands dismissed. No costs.

[D.K.K., J.] & [R.V., J.]

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Index : Yes / No

Internet : Yes / No

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