



W.P.(MD)No.24127 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2022

CORAM

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

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R.Thangavel

... Petitioner

Vs.

- 1.The District Collector,
Dindigul District,
Dindigul.
- 2.The Revenue Divisional Officer,
Palani Revenue,
Palani,
Dindigul District.
- 3.The Thasildar,
Vedasendur Taluk,
Dindigul District.
- 4.The President,
Puthoor Panchayat,
Vedasendur Taluk,
Dindigul District.
- 5.Malathi
- 6.Murugan
- 7.Maruthamuthu
- 8.Kumar



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9.Manjamalai

10.Subramani

11.Kannathasan

12.Thirupathi

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents 1 to 3 herein to remove the encroachment made by 5 to 12 respondents herein on the government Porampokku land in Survey No. 720A/20 situated at Aranmanaipatti, Puthoor Village, Vedaendur Taluk, Dindigul District based on petitioners representation dated 19.09.2022 within a time frame as stipulated by this Honourable Court.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondents 1 to 4 : Mr.G.V.Vairam Santhosh
Additional Government Pleader

* * *

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 1 to 3 to remove the encroachment made by the respondents 5 to 12 on the Government Poramboke land in Survey No. 720A/20 situated at Aranmanaipatti, Puthoor Village, Vedaendur Taluk, Dindigul



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District, based on his representation dated 19.09.2022 within a time frame.

2. Heard Mr.S.Sarvagan Prabhu, learned counsel for the petitioner and Mr.G.V.Vairam Santhosh, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 4. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 5 to 12 is dispensed with.

4. Pointing out that the respondents 4 to 6 have made encroachment in the Government Poramboke land in Survey No. 720A/20 situated at Aranmanaipatti, Puthoor Village, Veda sendur Taluk, Dindigul District, which is used by the villagers to reach the village temple and also for conducting various celebrations of the village, the petitioner submitted a representation to the official respondents on 19.09.2022 and the same, according to the learned counsel for the petitioner, remains as such. Hence, the writ petition.



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5. Learned counsel for the petitioner would further submit that though the petitioner has sought for a larger relief, he would be satisfied if a direction is issued to the respondents 3 and 4 to dispose of his representation, dated 19.09.2022, within a time frame.

6. Considering the limited scope of the prayer now sought for by the petitioner, this Court, without expressing any opinion on the merits of the claim made by the petitioner, either in the representation or in the affidavit filed in support of the Writ Petition, disposes of this Writ Petition with a direction to the respondents 3 and 4 to consider the representation of the petitioner dated 19.09.2022 and pass appropriate orders on merits and in accordance with law. If there is any encroachment as claimed by the petitioner, after issuing notice and conducting survey in the presence of the petitioner, the respondents 5 to 12 and any other parties concerned, the respondents 3 and 4 are directed to take necessary action for removal of encroachment in the Government Poramboke land in Survey No. 720A/20 situated at Aranmanaipatti, Puthoor Village, Vedaendur Taluk, Dindigul District, after affording an opportunity of personal hearing to all the parties concerned and



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by following due process of law. Such an exercise shall be completed within a period of eight weeks from the date of receipt of the copy of this order. No costs.

[R.M.D., J.] [J.S.N.P., J.]
20.10.2022

Internet : Yes / No

Index : Yes / No

sj

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- 1.The District Collector,
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