



W.P.(MD) No.25277 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.10.2022

CORAM:

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

W.P.(MD) No.25277 of 2018

R.Gowthaman

... Petitioner

-VS-

1.The District Collector,
Pudukottai District, Pudukottai.

2.The Revenue Divisional Officer,
Pudukottai.

3.The District Adhidraavidar Welfare Officer,
Collectorate, Pudukottai.

4.The Special Tahsildar,
(Adhidraavidar Welfare)
Office of the Adhidraavidar Welfare Officer,
Pudukottai District.

5.The Block Development Officer,
Annavaasal, Pudukottai District.

6.K.Soundararajan

... Respondents



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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 encroachment made by the sixth respondent in Plot No.27, Sy.No. 108/6, 108/7 and 108/8, Poongudi Village, Kulathur Taluk and Pudukottai District, within the time stipulated by this Court by considering the petitioner's representations dated 26.10.2018 and 13.11.2018.

For Petitioner : Mr.R.Balakrishnan

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Government Pleader
for R1 to R5
Mr.D.Ramesh Kumar for R6

ORDER

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

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the sixth respondent in Plot No.27, comprising Survey Nos. 108/6, 108/7 and 108/8, Poongudi Village, Kulathur Taluk, Pudukottai District, based on the petitioner's representations dated 26.10.2018 and 13.11.2018.



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2. Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 to 5, produced the Government Order in G.O.(Ms) No.34, Revenue and Disaster Management Department, Land Disposal Wing, dated 13.01.2021 and a communication of the fifth respondent – Block Development Officer, Annavasal, dated 21.09.2022, addressed to him, wherein it is stated as follows:-

“Under these circumstances, it is submitted that with the advent of the Government order cited in the 2nd reference, since the occupant belong to Adi Dravidar community and liable to regularization of occupancy, his occupancy cannot be construed now as an encroachment.”

The above said submission and communication are not refuted by the learned counsel for the petitioner.

3. Thus, recording the said submission, this writ petition is closed.

No costs.

[R.M.D., J.] [J.S.N.P., J.]
11.10.2022

Index : Yes / No
Internet : Yes / No
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