



W.P.(MD) No.20840 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.20840 of 2016

1.Arumugam

2.Achi Muthu

... Petitioners

Vs.

1.The District Collector,
Dindigul.

2.The District Revenue Officer,
Collectorate Complex,
Dindigul.

3.The Revenue Divisional Officer,
Dindigul Division,
Sub-Collector Office Road,
Dindigul – 624 001.

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4.The Tahsildar,
Natham Taluk,
Natham, Dindigul District.

5.Chellapanayakan Patti Panchayat,
Rep. by its Executive Officer,
Natham Taluk, Natham, Dindigul District.

6.Muthu

7.Mathi

8.Raja

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the representation of the petitioner dated 12.02.2015 and direct the respondents 1 to 4, to take action under the provisions of Tamil Nadu Land Encroachment Act, 1905 or to direct the 3rd respondent to initiate action under the provisions of Section 133 of the Code of Criminal Procedure in respect of the encroachments made by the respondents 6 to 8 in the Cart Track Proamboke comprised in Survey No.347 situated at Chellapanayakkan Patti Panchayat, Natham Taluk, Dindigul District.

For Petitioners : Mr.H.Lakshmi Shankar

For Respondents : Mr.N.GA.Nataraj,
Govt. Advocate for R1 to R5
Mr.R.Udayakumar for R6 to R8



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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 4 to consider the representation of the petitioner dated 12.02.2015 and to direct the respondents 1 to 4, to take action under the provisions of Tamil Nadu Land Encroachment Act, 1905 or to direct the 3rd respondent to initiate action under the provisions of Section 133 of the Code of Criminal Procedure in respect of the encroachments made by the respondents 6 to 8 in the Cart Track comprised in Survey No.347 situated at Chellapanayakkan Patti Panchayat, Natham Taluk, Dindigul District.

2. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 5, on instructions, submitted that necessary action would be taken to remove the encroachments, as projected by the petitioners, by following due process of law. He also made it



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clear that the encroachment made by the petitioners, if any, also will be removed, which is agreed by the learned counsel appearing for the petitioners.

3. Recording the above submission, this Writ Petition is disposed of with a direction to the official respondents to conduct a survey in the place in question, identify the encroachments and then remove the same after affording opportunity of hearing to all the parties concerned and by following due process of law. Such exercise shall be completed within eight weeks from the date of receipt of a copy of this order. No costs.

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

28.09.2022

vsm



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