



WEB COPY



W.P.No.3461 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.3461 of 2023

G.Pandurangan

.. Petitioner

Vs

1 The District Collector
Dharmapuri District- 636 705.

2 The Revenue Divisional Officer
Harur Division, Harur
Dharmapuri District - 636 903.

3 The Tahsildhar
Harur Taluk
Dharmapuri District - 636 903.

4 G.Senthilvel

5 P.Ramamoorthy

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 3 to remove the encroachment made by respondents 4 and 5 over the Nilaviyal Pathai (Cart track) in Palayam Revenue Village S.Nos.34/1A2 and 34/1B, Harur Taluk, Dharmapuri District.



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For the Petitioner : Mr.R.Karunakaran

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 to 3

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

G.Pandurangan, son of late Gopal Gounder, a resident of Gudalur Village, Harur Taluk, Dharmapuri District, has filed this writ petition seeking issuance of a writ of mandamus directing respondents 1 to 3 to remove the encroachment made by respondents 4 and 5 over the Nilaviyal Pathai (cart track) in Palayam Revenue Village S.Nos.34/1A2 and 34/1B, Harur Taluk, Dharmapuri District.

2. Mr.R.Karunakaran, learned counsel appearing for the petitioner, would submit that a cart track passes through S.Nos.34/1A2 and 34/1B and the same has been encroached by respondents 4 and 5, obstructing the passage of villagers through the said cart track. When the petitioner approached the second respondent on 1.4.2022, which was a Grievance Day, the second



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respondent directed the petitioner to approach the third respondent.

The third respondent, vide memorandum dated 13.4.2022, directed the Deputy Inspector, Harur and the Revenue Inspector, Theerthamalai, to submit a report as to the steps taken with regard to the grievance of the petitioner and it was further stated that the said officials may conduct a survey and remove the encroachment over the cart-track. Thereafter, the second respondent issued a notice on 7.10.2022 to the private respondents and some villagers to appear before him on 13.10.2022 regarding the dispute in question. However, as no action was taken thereafter, the petitioner has been advised to approach this court.

3. Mr.P.Muthukumar, learned State Government Pleader appearing on behalf of respondents 1 to 3, would submit that, if six weeks' time is granted, the respondent authorities will conduct a survey of the land in question and thereafter remove the encroachments, after issuing notice to the encroachers.

4. Recording the submission made by learned State



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Government Pleader, the writ petition is disposed of with a direction to the respondent authorities to conduct a survey of the land in question with the assistance of the jurisdictional Surveyor and, if any encroachment is found, the same shall be removed after notice to the encroachers. The entire exercise is to be completed within a period of six weeks from the date of receipt of a copy of this order. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
08.02.2023

Index : No
Neutral Citation : No
sasi

To:

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D.BHARATHA CHAKRAVARTHY, J.

(sasi)

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