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W.P. No.3795 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

and

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.P. No.3795 of 2020 and W.M.P. No.4485 of 2020

R. Seerangan

Petitioner

v

1 The District Collector
Erode District

2 The Tahsildar
Anthiyur Taluk
Erode District

3 The Block Development Officer
Anthiyur Block
Erode District

4 The Panchayat President
Brammadesam Panchayat
Anthiyur Taluk
Erode District

5 Gurusamy @ Chinnathambi

Respondents

Writ Petition preferred under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 and 2 to remove the encroachment made by the fifth respondent in Brammadesam Village in Survey No.845/6 in Anthiyur Taluk, Erode District, measuring 105 square metre.

<https://www.mhc.tn.gov.in/judis>



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For petitioner	Mr. M. Ravi – Did not appearance
For RR 1 – 3	Mr. A. Selvendran Special Government Pleader
For RR 4 & 5	No appearance

ORDER

(made by S. VAIDYANATHAN, J.)

This writ petition is filed seeking removal of encroachment.

2 There is no representation for the petitioner.

3 It is seen that the third respondent has filed a counter affidavit in March 2020 stating that the encroachment pointed out by the petitioner has been removed. The relevant portion of the counter affidavit is usefully extracted below:

“4. I respectfully submit that necessary action was taken by the authorities of the local body concerned and removed the sand spread in R.S. No.843/1 and there are no encroachments on that land.”
.”

In view of the above, this writ petition stands closed reiterating the observation made by this Court time and again that there shall not be any encroachment in the Government poramboke land or public pathway. No costs. Connected W.M.P. stands closed.

(S.V.N., J.) (K.R.S., J.)
18.12.2023

cad



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To
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S. VAIDYANATHAN, J.
and
K. RAJASEKAR, J.

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