



WEB COPY



WP No.4630 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WP No.4630 of 2023

A.M.Sakthivel

...

Petitioner

versus

1.The District Collector,
Kallakurichi District

2.The Revenue Divisional Officer,
Kallakurichi Taluk & District

3.The Tahsildar,
Chinnasalem Taluk, Kallakurichi District

4.The Block Development Officer,
Chinnasalem, Kallakurichi District

5.Rajendiran

...

Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing respondents 1 to 4 to remove the encroachment in S.No.269/3, 267/2, 268/15A, 268/10, 271/1, 2, 3, 4, 5, 6, 8, 9, 11, 271/9, water channel and the agricultural concrete field in Karadichittur Village, Chinnasalem Taluk, Kallakurichi District.

For the Petitioner : Mr.V.Gunasekar

For the Respondents : Mr.J.Ravindran,
Additional Advocate-General
assisted by Mr.P.Muthukumar,



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State Government Pleader,
for respondents 1 to 4
ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed seeking a writ of mandamus directing respondents 1 to 4 to remove the encroachment in S.Nos.269/3, 267/2, 268/15A, 268/10, 271/1, 2, 3, 4, 5, 6, 8, 9, 11, 271/9, water channel and the agricultural concrete field in Karadichittur Village, Chinnasalem Taluk, Kallakurichi District.

2. In support of his submission, learned counsel for the petitioner has produced the proceeding dated 27.12.2022 passed by the Revenue Tahsildar, Chinnasalem, mentioning that there is a petition given by the petitioner for the removal of encroachment in canal poromboke in Karadichithur (North) Village S.Nos.269/3, 267/2, 268/15A, 268/10, 271/1, 2, 3, 4, 5, 6, 8, 9, 11, 271/9 for which when inquiry was held, and the Revenue Tahsildar has also mentioned that he has prepared Form-I, to facilitate the removal of encroachment.

3. When the matter was taken up for hearing, Mr.P.Muthukumar, learned State Government Pleader, placed before us written instructions received from the Revenue Tahsildar, Chinnasalem, and submitted that the land covered in 271/9 is classified as “Kalam” and the land in S.No.269/3 also is a “waterbody”. Therefore, the encroachment made in S.Nos.271/9 and 269/3 have to be removed. The learned Government Pleader submitted that the other survey numbers are private



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lands.

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4. Recording the submissions made by the learned State Government Pleader, we direct the Tahsildar and Block Development Officer, Chinnasalem, to remove the encroachments found in S.Nos.271/9 and 269/3.

5. The above exercise shall 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.)
16.02.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To

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3.The Tahsildar,
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Kallakurichi District

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Kallakurichi District



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T.RAJA, ACJ,
and
D.BHARATHA CHAKRAVARTHY, J.

(tar)

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