



W.P.No.5912 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.5912 of 2023

V.Thavamani

.. Petitioner

Vs

- 1 The District Collector
Dharmapuri District, Dharmapuri.
- 2 The Revenue Divisional Officer
Dharmapuri, Dharmapuri District.
- 3 The Tahsildar
Nallampalli, Dharmapuri District.
- 4 Devan
- 5 Sevathan
- 6 Thangavel
- 7 Sakkarai
- 8 Iyyappan
- 9 Madhappan
- 10 Chinnasamy, S/o.Thandaven
- 11 Suresh
- 12 Meganathan
- 13 Krishnan, S/o.Narayanan
- 14 Durai
- 15 Pandurangan, S/o.Muniyagoundar



W.P.No.5912 of 2023

16 Krishnan, S/o.Velu
17 Mani
18 Chinnasamy, S/o.Kaliyappan
19 Murugan
20 Lakshmi
21 Velu
22 Saravanan
23 Vijay
24 Pandurangan, S/o.Thangavel
25 Pachiyappan
26 Velusamy
27 Subramani
28 Venkatraman
29 Pooncholai

.. 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 evict the encroachment as found in Survey Nos.157, 158, 160, 163 and 165/3 in Kumbalapadi Village, Nallampalli Taluk, Dharmapuri District and also to evict the encroachment as found in Survey Nos.164, 165, 166/2, 168/1 in Pangunathan Village, Nallampalli Taluk, Dharmapuri District, being a waterbody and remove the encroachments made by respondents 4 to 29.

For the Petitioner : Mr.J.Pradeep

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



W.P.No.5912 of 2023

ORDER

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

V.Thavamani, son of Vaiyapuri, a resident of No.4/33, Kullampadi Village, Nallampalli Taluk, Dharmapuri District, has filed this writ petition seeking issuance of a writ of mandamus directing respondents 1 to 3 to remove the encroachments as found in Survey Nos.157, 158, 160, 163 and 165/3 in Kumbalapadi Village, Nallampalli Taluk and Survey Nos.164, 165, 166/2 and 168/1 in Pangunatham Village, Nallampalli Taluk.

2. In support of the prayer made in the writ petition, Mr.J.Pradeep, learned counsel for the petitioner, drew our attention to copies of 'A' Register in respect of the aforesaid survey numbers and submitted that the said lands are classified as "Saman Eri", "Odai", "Vandipathai" and "Kodi Vaikkal" respectively and, therefore, the encroachments put up by respondents 4 to 29 have to be removed.



W.P.No.5912 of 2023

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

4. Recording the submission made by learned State Government Pleader, the writ petition is disposed of with a direction to respondents 1 to 3 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 issuing 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.)
28.02.2023

Index : Yes/No
Neutral Citation : Yes/No
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W.P.No.5912 of 2023

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