



W.P.No.8078 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.8078 of 2023
and W.M.P.No.8337 of 2023

A.Sellapillai

.. Petitioner

Vs.

1. The District Collector
Salem District
Salem – 636 001.
2. The District Revenue Officer
Collector Office
Salem District – 636 001.
3. The Revenue Divisional Officer
Attur Division, Salem District-636 102.
- 4.The Tahsildar
Thalaivasal Taluk
Salem District – 636 112.
- 5.The Deputy Survey Inspector
Deputy Survey Inspector Office
Revenue Sub Division, Attur
Salem District – 636 102.



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6. The Deputy Superintendent of Police
Deputy Superintendent of Police Office
Attur Sub Division, Salem District-636 102.

7. Mr.R.Velusamy .. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the 4th respondent to remove the illegal encroachment from the Government Land in the Pond and the Water Canal in and out of the pond in Survey Nos.194/2, 195/2 and 198 situated at Periyeri Village, Thalaivasal Taluk, Salem District to enable the petitioner to cultivate his land in Patta No.7477 and the order passed by the 1st respondent dated 14.11.2022.

For the Petitioner : Mr.T.Velu

For the Respondents : Mr.P.Muthukumar
State Government Pleader
- for Respondents 1 to 6

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner seeks a writ of Mandamus directing the 4th respondent to remove the illegal encroachment from the Government Land in the Pond and the Water Canal in and out of the pond in Survey



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Nos.194/2, 195/2 and 198 situated at Periyeri Village, Thalaivasal Taluk, Salem District to enable the petitioner to cultivate his land in Patta No.7477 and the order passed by the 1st respondent dated 14.11.2022.

2. Learned counsel for the petitioner, in support of his submission has brought to the notice of this Court that in the revenue records viz., 'A' Register the lands in question viz., Survey Nos.194/2, 195/2 and 198 situated at Periyeri Village, Thalaivasal Taluk, Salem District are classified as 'Odai' (water body).

3. Learned State Government Pleader who accepts notice for the respondents 1 to 6, sought four weeks time to remove the encroachments.

4. In view of the above submission, this writ petition is disposed of, directing the fourth respondent to conduct survey of the lands in question, in the presence of the petitioner and the persons concerned, after issuing notice, and thereafter, to remove the encroachments



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within a period of four weeks from the date of receipt of a copy of this order. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

(T.R., ACJ.) (D.B.C., J.)
16.03.2023

Index : Yes/No
Neutral Citation : Yes/No

kst



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

(kst)

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