



W.P.No.13676 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.13676 of 2023

P.Ravichandran

.. Petitioner

Vs

- 1 The District Collector
O/o.the District Collector
Tiruppur - Post and District.
- 2 The District Adi Dravidar Welfare Officer
O/o. the District Collectorate
Tiruppur - Post and District.
- 3 The Tahsildar
O/o. The Tahsildar
Avinashi - Post and Taluk
Tiruppur District.
- 4 The Special Tahsildar
Adi Dravidar Welfare Department
Tiruppur Post and District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 3 and



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4 to conduct enquiry to remove encroachment as per order on the letter dated 26.09.2022 and 24.01.2023 on the file of the second respondent based on the representation by my grandmother dated 13.09.2022 and subsequent representation made by me dated 13.1.2023 for the occupation of 38 cents out of total extent of 1.26 acres in Alathur Village, Avinashi Taluk, Tiruppur District as indicated as Blue colour sketch of the surveyor dated 17.3.2022.

For the Petitioner : Mr.D.Veerasekaran

For the Respondents : Mr.P.Muthukumar
State Government Pleader

ORDER

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

P.Ravichandran, son of Palanisamy, a resident of Alathur Village, Tiruppur District, has filed this writ petition seeking issuance of a writ of mandamus to direct respondents 3 and 4 to conduct an enquiry to remove encroachment as per order on the letter dated 26.09.2022 and 24.01.2023 on the file of the second respondent based on the representation by his grandmother dated 13.09.2022 and subsequent representation made by him on 13.1.2023 for the occupation of 38 cents out of total extent of 1.26 acres in Alathur



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Village, Avinashi Taluk, Tiruppur District, indicated in Blue colour in the sketch of the surveyor dated 17.3.2022.

2. Mr.D.Veerasekaran, learned counsel for the petitioner, would submit that the petitioner is the absolute owner of the land comprised in S.No.369/2A, Alathur Village, Avinashi Taluk, Tiruppur District. However, the respondent authorities while acquiring the adjacent land in S.No.369/2B have trenched upon 38 cents of land comprised in S.No.369/2A that belongs to the petitioner. The petitioner's grandmother sent a representation requesting the authorities to vacate from the 38 cents of land belonging to the petitioner to enable her occupy the same. A similar request was made by the petitioner on 13.1.2023. The petitioner has also produced a copy of the patta issued in his favour in respect of the land in question. Although the second respondent vide letter dated 26.9.2022 directed respondents 3 and 4 to take action based on the aforesaid representations, till date no action has been taken. Hence, the petitioner has been advised to file this writ petition.



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3. Mr.P.Muthukumar, learned State Government Pleader appearing on behalf of respondents, submitted that, if four weeks' time is granted to the respondent authorities, they will consider the representation of the petitioner dated 13.1.2023 and pass appropriate orders on merits and in accordance with law.

4. Recording the aforesaid submission made by learned State Government Pleader, the writ petition is disposed of with a direction to the respondent authorities to consider the representation of the petitioner dated 13.1.2023 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, preferably 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.

(T.R., ACJ.) (D.B.C., J.)
28.04.2023

Index : No
Neutral Citation : No
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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

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