



W.P.No.25631 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2023

CORAM :

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.P.No.25631 of 2023

D.Palaniappan

.. Petitioner

Vs

1.The District Collector,
Thiruvarur.

2.The District Revenue Officer,
District Collectorate Campus,
Thiruvarur.

3.The Tahsildar,
Kodavasal Taluk,
Thiruvarur.

4.The Block Development Officer,
Kodavasal Block Development Office,
Kodavasal Taluk,
Thiruvarur.

5.Anand

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 4 to remove encroachment in the said Government poramboke land, which is classified as Kuttai (Pond) in F.M.B. sketch and to restore the same situated in R.S.No.81/5 at Peruntharakkudi Village District by considering the petitioner's representation dated 24.04.2023.

For the Petitioner : Mr.Vishal Sridhar

For the Respondents : Mr.A.Selvendran
Spl. Government Pleader
for respondent Nos.1 to 4

ORDER

(Order of the court was made by *S.Vaidyanathan, J.*)

The present writ petition has been filed seeking a direction to the respondent authorities to remove the encroachment made in the poramboke land in R.S.No.81/5 situated at Peruntharakkudi Village.

2. Since we are not passing any adverse order against respondent No.5 in the present writ petition, notice to respondent No.5 is dispensed with.



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3. When the writ petition is taken up for hearing, it is represented on behalf of the petitioner that the petitioner has made a representation on 24.4.2023 to the second respondent for removal of encroachment. According to the petitioner, part of S.No.81/5 situated in Peruntharakkudi Village is Kuttai (Pond) and the same has been encroached by the fifth respondent.

4. Learned Special Government Pleader appearing for the official respondents submitted that the third respondent will conduct survey of the land in question and, if any encroachment is found, the same will be removed within the stipulated time.

5. Recording the submission made by learned Special Government Pleader, we hereby direct the third respondent/Tahsildar, Kodavasal Taluk, to conduct survey of the land in question after notice to respondent No.5 and if any encroachment is found, the same shall be removed in accordance with law. The said exercise shall be completed within a period of three months from the date of receipt of a copy of this order.



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6. We direct the officials to adhere to the decision in W.P.(MD) No.16120 of 2023, dated 30.08.2023 (*N.Sankar v. The Principal Secretary, Town and Country Planning, Government of Tamil Nadu and three others*) to avoid disciplinary proceedings being initiated against them.

7. With the above observation, the writ petition stands disposed of. There will be no order as to costs.

(S.V.N., J.) (K.R.S., J.)
31.08.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

- 1.The District Collector, Thiruvarur.
- 2.The District Revenue Officer,
District Collectorate Campus, Thiruvarur.
- 3.The Tahsildar,Kodavasal Taluk, Thiruvarur.
- 4.The Block Development Officer,
Kodavasal Block Development Office,
Kodavasal Taluk,Thiruvarur.



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