



W.P.No.26085 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.26085 of 2023

A.Radhakrishnan

.. Petitioner

Vs

- 1.The Secretary to Government,
Revenue Department,
Secretariat,
Chennai-600 009.
- 2.The Commissioner of Revenue Administration,
Chepauk,
Chennai-600 005.
- 3.The Commissioner of Land Administration,
Chepauk,
Chennai-600 005.
- 4.The Collector,
Salem-636 001.
- 5.The Sub Divisional Executive Magistrate-
cum-Revenue Officer,
Sankari,
Salem District.



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6.The Taluk Executive Magistrate-cum-Tahsildar,
Edappadi Taluk,
Salem District.

7.The Joint Director of Medical and Rural Health Service,
Salem-636 001.

8.The Superintendent of Police,
Nethimedu,
Salem-636 002.

9.The Chief Medical Officer,
Government Hospital,
Edappadi,
Salem District.

10.The Commissioner,
Edappadi Municipality,
Salem-636 101.

11.The Deputy Director of Town and Country Planning,
Salem-636 302.

12.Ravi s/o Malachamy

13.Rasheer

14.Nazeerali

15.Sahibbhasha

16.Sharafee

17.Nashratbheevi

18.Sherif

19.Minichiammal

20.Gowtham

21.Ravi s/o.Ponnudurai

22.Babu

23.Rajapandian

.. 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 4 to 11 to remove the encroachments in Town Survey Number 66 and 69 of Edappady Town, Salem District belonging to the 9th respondent Government Hospital and restore the said property in favour of the 9th respondent by considering the petitioner representation dated 27.05.2016 and also as per the communication of second respondent dated 21.02.2023.

For the Petitioner : Mr.R.Marudhachalamurthy

For the Respondents : Mr.P.Muthukumar
State Government Pleader
assisted by
Mrs.R.Anitha
Spl. Government Pleader
for respondents 1 to 7 & 9 to
11

: Mr.C.E.Pratap
Government Advocate
for respondent No.8

ORDER

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

We have heard Mr.R.Marudhachalamurthy, learned counsel for the petitioner; Mr.P.Muthukumar, learned State Government Pleader, assisted by Mrs.R.Anitha, learned Special Government Pleader for



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respondents 1 to 7 and 9 to 11 and, Mr.C.E.Pratap, learned Government Advocate for respondent No.8.

2. Mr.R.Marudhachalamurthy, learned counsel for the petitioner submits that the property of respondent No.9 has been encroached and respondents 4 to 11 be directed to remove the said encroachments and restore the property in favour of respondent No.9.

3. Mr.P.Muthukumar, learned State Government Pleader appearing for the respondents 1 to 7 and 9 to 11 has produced a communication dated 6.9.2023 of the Tahsildar, Edappady addressed to the Government Pleader, High Court of Madras, Chennai. In the said communication, it has been stated that measurement has been carried out in respect of Survey Nos.257/1A2, 257/1B and 257/2 and encroachments have been identified. The details of encroachers and the extent of encroachments have been sent to the Chief Medical Officer of Edappady Government Hospital on 6.2.2023. Thereafter, the details of the same have been sent to the Commissioner, Edappady Municipality to facilitate eviction process.



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4. In the light of the communication dated 6.9.2023 of the Tahsildar, Edappady, it is for the Commissioner, Edappady Municipality to take further action in accordance with law and by following the principles of natural justice.

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

(S.V.G., C.J.)

(P.D.A., J.)

07.09.2023

Index : Yes/No
Neutral Citation : Yes/No
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- 2.The Commissioner of Revenue Administration,
Chepauk,
Chennai-600 005.
- 3.The Commissioner of Land Administration,
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4.The Collector,
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5.The Sub Divisional Executive Magistrate-
cum-Revenue Officer,
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THE HON'BLE CHIEF JUSTICE
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