



W.P.No.29621 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.29621 of 2023

E.Parasuraman

.. Petitioner

Vs.

1. The District Collector  
Vandavasi Taluk  
Thiruvannamalai District.
2. The District Revenue Officer  
O/o. District Revenue Officer, Vengikkal  
Thiruvannamalai District.
3. The Assistant Director  
(Rural Development), Cheiyar Division  
Vandavasi Taluk  
Thiruvannamalai District.
4. The Revenue Divisional Officer  
O/o. Revenue Divisional Officer, Cheiyar  
Vandavasi Taluk, Thiruvannamalai District.
5. The Tahsildar  
Vandavasi Taluk  
Thiruvannamalai District.



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6. The Commissioner  
Panchayat Union, Thellar  
Vandavasi Taluk, Thiruvannamalai District.

7. The Block Development Officer  
Panchayat Union, Thellar  
Vandavasi Taluk, Thiruvannamalai District.

8. Selvam

9. Elumalai

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondents 1 to 7 particularly the respondents 5 to 7 to take necessary action to remove the encroachments made into the Government Neernilai Periya Eri (lake), situated at Pancharai Village, Vandavasi Taluk, Thiruvannamalai District, comprised in S.No.53, on the basis of the petitioner's representation dated 31.08.2023.

For the Petitioner : Mr.R.Thanjan

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



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**ORDER**

(Made by the Hon'ble Chief Justice)

Heard Mr.R.Thanjan, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader assisted by Mrs.R.Anitha, learned Special Government Pleader for the respondents 1 to 7.

2. Learned State Government Pleader, on instructions, submits that notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (for brevity, hereinafter referred to as "the Act of 1905") was issued on 01.09.2022, thereafter the order under Section 6 of the Act of 1905 was passed on 16.11.2022.

3. It is observed that the order under Section 6 of the Act of 1905 is passed by the Block Development Officer, who is has no authority for the same.

4. Learned State Government Pleader submits that fresh action



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would be taken by the Competent Authority against the encroachers,  
in accordance with law, within a period of four months from today.

5. In view of that, the writ petition, as such, stands disposed of.

There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No  
Neutral Citation : Yes/No

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THE HON'BLE CHIEF JUSTICE  
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