



W.P. No.34710 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. No.34710 of 2022

N.Palanisamy

... Petitioner

Vs

- 1 The District Collector
Namakkal.
- 2 The District Revenue officer
Namakkal.
- 3 The Revenue Divisional Officer
Tiruchengode.
- 4 The Tahsildar
Komarapalayam Taluk,
Namakkal District.
- 5 A.Devarajan

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by the 5th respondent in Government land in S.F.No.167, Thattankuttai, Komarapalayam Amani Village Komarapalayam Taluk, Namakkal District by considering the representations dated 12.03.2021 and 29.09.2021.



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For the Petitioner : Mr.R.Marudhachalamurthy
For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
For respondents 1 to 4

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition seeking a Writ of Mandamus directing respondents 1 to 4 to remove the encroachment made by the fifth respondent in Government land in S.F.No.167, Thattankuttai, Komarapalayam Amani Village Komarapalayam Taluk, Namakkal District, by considering the representations dated 12.03.2021 and 29.09.2021.

2. Learned counsel for the petitioner produced before us a copy of the 'A' Register and submitted that the land in question is classified as Odai poromboke (water channel) and therefore, necessarily the encroachment has to be removed.

3. Mr.P.Muthukumar, learned State Government Pleader, agreeing with the submission made by the learned counsel for the petitioner sought for six weeks' time to measure the property and in the event of



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finding any encroachment, to remove the same.

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4. The writ petition is disposed of directing the first respondent to take steps to survey the subject land, after giving prior notice to the affected parties. If any encroachment is found, the same shall be removed forthwith. The first respondent is granted six weeks' time, from the date of receipt of a copy of this order, to undertake the above exercise. There will be no order as to costs in the writ petition.

(T.R., ACJ.) (D.B.C., J.)
02.01.2023

Index: Yes/No
tar

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and
D.BHARATHA CHAKRAVARTHY, J.

(tar)

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