



W.P.(MD) No.14280 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD) No.14280 of 2023

B.Karuppasamy

... Petitioner

-vs-

- 1.The District Collector
Virudhunagar Collectorate Campus
Virudhunagar District
- 2.The Revenue Divisional Officer
Sattur Division, Sattur
Virudhunagar District-626 203
- 3.The Thasildar
Vembakottai Taluk
Virudhunagar District.626 131
- 4.The Revenue Inspector
Vembakottai Firca
Vembakottai Taluk
Virudhunagar District.626 131
- 5.The Village Administrative Officer
Kanajampatti Village
Vembakottai Taluk
Virudhunagar District-626 131



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6.K.Karuppasamy

7.K.Thilagavathi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to remove the illegal encroachment made by the respondents 6 and 7 in Survey No.229/40 at Melakothainachiarapuram, Thayilpatti Post, Vembakottai Taluk, Virudhunagar District.

For Petitioner : Mr.B.Karuppasamy
Party-in-Person

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R5

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.S.P.Maharajan, learned Special Government Pleader, takes notice for the respondents 1 to 5.

2. Considering the nature of the relief, notice to the private respondents is deemed unnecessary.



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3. With the consent of both sides, this writ petition is taken up for final hearing at the admission stage itself.

4. The petitioner complains that the respondents 6 & 7 have encroached upon the unoccupied Natham land in Survey No.229/40 by constructing a basement measuring about 7 Meters in length and 5 Meters in width.

5. It is seen from the report of the Revenue Inspector, Vembakottai, that the construction has been stopped, based on the objection made by the petitioner herein. It is also found that the request made by the encroacher, namely, sixth respondent for grant of free house site patta has been rejected. The Revenue Authorities have also earmarked the land to carry out eviction.

6. In view of the above, this writ petition is disposed of with a direction to the respondents 1 to 5 to proceed with the eviction process and complete the same, within a period of six months from the date of receipt of a copy of this order. Needless to state the respondents 1 to 5, while



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implementing the process of eviction, will strictly adhere to the provisions of the Tamil Nadu Land Encroachment Act, 1905. No costs.

[R.S.M., J.]

[L.V.G., J.]

19.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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