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Crl.O.P.(MD)No.10572 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.11.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD)No.10572 of 2023

Pandiyammal

... Petitioner

Vs.

1.The District Collector,
Collectorate Campus,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Aruppukottai,
Virudhunagar District.

3.The Tahsildar,
Taluk Office,
Aruppukottai,
Virudhunagar District.

4.The President,
Poolangal Panchayat,
Aruppukottai Taluk,
Virudhunagar District.

5.Rajendran

... Respondents



PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 2nd respondent to take action under section 133 of Cr.P.C against the 5th respondent for his encroachment and nuisance caused at the East Street of Poolangal Village, Aruppukottai Taluk, Virudhunagar District and remove the same.

For Petitioner : Mr.R.Murugappan

For R1 to R4 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition is filed to direct the 2nd respondent to take action under section 133 of Cr.P.C against the 5th respondent for his encroachment and nuisance caused at the East Street of Poolangal Village, Aruppukottai Taluk, Virudhunagar District and remove the same.

2. The learned counsel for the petitioner would submit that the petitioner and the private respondent are residing in same village. The fifth respondent constructed a building by encroaching the Government road. So, the petitioner made a representation to the respondents No.1 to 3 on 18.04.2023, but no action has been taken so far.



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3. The learned Government Advocate (Crl.Side) would submit that in pursuance of the order passed by this Court, dated 16.10.2023, the Revenue Divisional Officer, attached to the Tahsildar, Aruppukkottai Taluk, is present before this Court and stated that he made a spot visit to ascertain the present position. Finding that an encroachment is made by the private respondent, a case has been initiated under section 5 of Land Encroachment Act, 1905 and notice was also issued to the parties.

4. In view of the initiation of proceedings under section 5 of Land Encroachment Act, 1905, against the private respondent, nothing survives for further consideration or direction in this matter.

5. With the above said observation, this Criminal Original Petition is disposed of as unnecessary.

27.11.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

Indu



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To

1. The District Collector,
Collectorate Campus,
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Aruppukottai,
Virudhunagar District.
3. The Tahsildar,
Taluk Office,
Aruppukottai,
Virudhunagar District.
4. The President,
Poolangal Panchayat,
Aruppukottai Taluk,
Virudhunagar District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P.(MD)No.10572 of 2023



G.ILANGO VAN. J.

Indu

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