



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2023

CORAM :

**THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HON'BLE MR.JUSTICE B.PUGALENDHI**

WP(MD) No.17368 of 2019

K.Selvaraj

... Petitioner

vs.

- 1.The District Collector,
Trichy.
- 2.The Tahsildar, Srirangam Taluk,
Trichy District.
- 3.The Divisional Engineer,
State Highways Department,
TVS Tollgate, Subramanipuram,
Trichy – 20.
- 4.The Executive Officer,
Mutharasanallur Panchayat,
Srirangam Taluk,
Trichy District.
- 5.Mariappa Pillai
- 6.L.Ayyasamy
- 7.L.Dhanapal



8.A.Kasiviswanathan

9.A.Sakthivel

10.A.Selvaraj

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachments made by the respondents 5 to 10 in S.No.135A/1B (New Nos. 135/2) and S.No.135A/2 (New Nos.135A3) which are road and vaikkal poromboke respectively situated in Mutharasanallur Village, Srirangam Taluk, Trichy District.

For Petitioner : Mr.H.Lakshmi Shankar

For Respondents : Mr.V.Nirmalkumar,
Government Advocate for R1 to R3
No appearance for R4 to R7, R10
Mr.P.Thiyagarajan for R5 and R6
Mr.S.Ramesh for R8 and R9

ORDER

The petitioner alleges that encroachments have been committed in the petition-mentioned survey numbers. Notice was issued. The learned Government Advocate produced the revenue record to show that S.No. 135A/1A is a patta land. S.No.135/1B has been classified as road. S.No.



135A/2 has been classified as Vaikkal. It is submitted that encroachments have been identified.

2.We direct the Tahsildar, Srirangam Taluk, Trichy District to take action for removal of the encroachments made in S.No.135A/2 by adopting due process of law. Survey notice to be served on all the parties concerned and sketch shall also be prepared. Thereafter, encroachments shall be removed. Vaikkal shall be restored to its original position. The entire exercise shall be completed within a period of four months from the date of receipt of copy of this order. As regards S.No.135A/1B, it is for the third respondent to take action.

3.This writ petition is allowed. No costs.

(G.R.S, J.) & (B.P, J.)
07.11.2023

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G.R.SWAMINATHAN, J.
and
B.PUGALENDHI, J.

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