



W.P.(MD).No.17202 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.10.2023

CORAM

**THE HON'BLE MR JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD).No.17202 of 2023

and

W.M.P.(MD).No.14406 of 2023

B.Rajini @ Rajasekar

.. Petitioner

Vs.

- 1.The District Collector,
Dindigul District.
- 2.The District Revenue Officer,
Dindigul District,
At Dindigul.
- 3.The Superintendent of Police,
Dindigul District,
At Dindigul.
- 4.The Revenue Divisional Officer,
Dindigul,
Dindigul District.
- 5.The Tahsildar,
Dindigul West Taluk,
Dindigul.
- 6.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.



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7.The President,
K.Dharmathupatti Village Panchayat,
Rendiyaar Chathram Panchayat Union,
Dindigul District.

8.Krishnamoorthy

9.Murugan

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 7 to remove the encroachment made by the respondents 8 and 9 in 576 sq.ft in the northern side portion of village road junction and the area surrounding the common well in S.No.180/1, Dharmapatti Village, Dindigul Taluk, Dindigul District.

For Petitioner	: Charles Kamalesh M.Appaji
For R-1 to R-6	: Mr.T.Amjad Khan Government Advocate
For R-7	: Mr.J.David Ganesh
For R-8	: Mr.J.Lawrance
For R-9	: Mr.Suresh

ORDER

(Order of the Court was made by S.M.SUBRAMANIAM,J.)

The relief sought for in the present Writ Petition is to direct the respondents 1 to 7 to remove the encroachment made by the respondents 8



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and 9 in 576 sq.ft in the northern side portion of village road junction and the area surrounding the common well in S.No.180/1, Dharmapatti Village, Dindigul Taluk, Dindigul District.

2. The learned Government Advocate appearing for the respondents 1 to 6 made a submission that the authorities competent conducted survey and found certain private individuals encroached upon the Government land classified as 'Vandi Padhai'. Actions are initiated to evict the encroachers from the pathway.

3. The learned counsel appearing on behalf of the ninth respondent made a submission that the ninth respondent will voluntarily remove the encroachments/constructions put up by him in the Government lands.

4. The learned counsel appearing on behalf of the eighth respondent made a submission that there is no encroachment by the eighth respondent and it is a patta land. If so, the eighth respondent is at liberty to submit the documents before the Tahsildar or the Revenue Divisional Officer, who in turn shall verify the same with reference to the revenue records.



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5. In view of the facts and circumstances, the respondents 4 and 5 are directed to evict the encroachers from the Government land by following the procedures as contemplated under the provisions of the Tamil Nadu Land Encroachment Act. It is needless to state that a show cause notice is to be issued and after receiving objections, final order is to be passed to evict the encroachers from the Government lands. The said exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(S.M.S.,J.) (V.L.N.,J.)
10.10.2023

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



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