



W.P.(MD) No.23909 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**W.P.(MD) No.23909 of 2017
and
W.M.P.(MD) No.20068 of 2017**

Rajeswari

... Petitioner

-VS-

- 1.The District Collector
Pudukottai District
Pudukottai
- 2.The Revenue Divisional Officer
Pudukottai
Pudukottai District
- 3.The District Adidravidar Welfare Officer
Collectorate, Pudukottai
- 4.The Special Tahsildhar
(Adidravidar Welfare)
O/o.Adidravidar Welfare Officer
Pudukottai District



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5.The Block Development Officer
(Village Panchayat)
Annavasal
Pudukottai District

6.The Inspector of Police
Anti Land Grabbing Special Cell
Pudukottai

7.The Inspector of Police
Vellanur Police Station
Pudukottai District

8.K.Soundarajan

... Respondents

PRAYER: 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 eighth respondent in Plot No.27, Adi Dravidar Colony, Poongudi Village, Vellanur Post, Kulathur Post, Pudukottai District, within the time stipulated by this Court.

For Petitioner : No appearance

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R5
Mr.P.Veerenthiran
Government Advocate (Cr1. Side) for R6 & R7
No appearance for R8



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ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The relief sought for in this writ petition is to direct the respondents 1 to 7 to remove the encroachment made by the eighth respondent in Plot No.27, Adi Dravidar Colony, Poongudi Village, Vellanur Post, Kulathur Post, Pudukottai District, within the time stipulated by this Court.

2. Learned Special Government Pleader appearing for the respondents 1 to 5, on instructions, submitted that in view of the order passed by this Court in the subsequent writ petition filed by one R.Gowthaman, the grievance of the petitioner has been redressed and to that effect, he has also produced a copy of the order dated 11.10.2022, passed by this Court in W.P. (MD) No.25277 of 2018. The relevant portion of the said order is extracted hereunder:

2. Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 to 5, produced the Government Order in G.O.(Ms) No.34, Revenue and Disaster Management Department, Land Disposal Wing, dated 13.01.2021 and a communication of the fifth respondent –



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Block Development Officer, Annavasal, dated 21.09.2022, addressed to him, wherein it is stated as follows:-

“Under these circumstances, it is submitted that with the advent of the Government order cited in the 2nd reference, since the occupant belong to Adi Dravidar community and liable to regularization of occupancy, his occupancy cannot be construed now as an encroachment.”

The above said submission and communication are not refuted by the learned counsel for the petitioner.

3. Thus, recording the said submission, this writ petition is closed. No costs.”

3. In view of the above, no further adjudication is required in respect of the grounds raised in this writ petition and the same is, therefore, closed. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[V.L.N., J.]

07.11.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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- 5.The Block Development Officer,
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