



W.P.No.9886 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM

**THE HONONOURABLE MRS. JUSTICE J.NISHA BANU
AND
THE HONONOURABLE MR. JUSTICE P.DHANABAL**

**W.P.No.9886 of 2021
and
W.M.P.No.10512 of 2021**

A.Anatha Ratchagan
S/o Achuthan

...Petitioner

Vs.

- 1.The District Collector,
Villupuram District.
2. The District Revenue officer,
Villupuram District.
3. The Revenue Divisional Officer,
Dindivanam Revenue Division,
Dindivanam Taluk,
Villupuram District.
4. The Thashildar,
Gingee Taluk,
Villupuram District.
5. Subramanian
6. Sekar



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7. Shankar

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 and 4 to initiate necessary steps to remove the encroachments made by the respondents 5 to 7 in the poramboke land comprised in S.No.88/4 ad-measuring to an extent of 0.40.5 Ares situated at Udayanthangal Village, Gingee Taluk, Villupuram District according with law by considering the petitioner's representation dated 29.09.2020, 29.10.2020 and 02.12.2020 and consequently permit the petitioner as well as his village people to use the part of the said property as pathway to reach their agricultural lands in the said village.

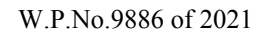
For Petitioner : Mr.B.Ramakrishnan

For Respondents : Mr.A.Selvendran,
Special Government Pleader
for R1 to R4
Mr.M.Krthikeyan for R5
No appearance for R56 & R6

ORDER

(The order of the Court was made by J.Nisha Banu,J.)

The writ petition has been filed for issuance of Writ of Mandamus to direct the respondents 1 and 4 to initiate necessary steps to remove the encroachments made by the respondents 5 to 7 in the poramboke land comprised in S.No.88/4 ad-measuring to an extent of 0.40.5 Ares situated at Udayanthangal Village, Gingee Taluk, Villupuram District according



2. The case of the petitioner is that the petitioner had sent a representation dated 29.09.2020 to the respondents 1 to 4 to initiate necessary action to remove the encroachments on the government haboake land ad-measuring to an extent of 0.40.5 Ares comprised in survey No.88/4 situated at Udayanthangal village, Gingee Taluk, Tirupur District. As no action has been taken for the representation dated 29.09.2020, the petitioner sent another representation dated 29.09.2020 seeking the same relief. Subsequently, the 1st respondent had issued a memorandum to the Tahshildar, Marakkanam vide No. A5/22126/2020 dated 03.11.2020 for taking further action on the petitioner's representation for removal of encroachment on the said land. The 4th respondent is the proper authority and not the Tahsildar, Marakkanam but wrongly it was sent to such authority and the petitioner is not aware to know that the said memorandum was sent to the 4th respondent.



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by the said Tahsildar, Marakkanam. The petitioner sent another representation dated 20.12.2020 to the respondents 1 to 4 for removal of encroachments from the said land. Since no action was taken, the present writ petition has been filed seeking a direction to dispose of the said representations.

3. Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the 1st to 4th respondents, the learned counsel appearing for the 5th respondent and perused the materials available on record.

4. Considering the limited prayer sought for in this Writ Petition, we are not expressing any view on the rival contentions of the parties. The representations made by the petitioners are still pending with the 1st to 4th respondents and no order has been passed on the same till date. The last of such representations was made on 02.12.2020. Therefore, without expressing any view on the merits of the claim made by the respective parties, this Writ Petition is disposed of, only by directing the 1st to 4th respondents to pass orders on the petitioner's representation



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dated 02.12.2020 on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The 1st to 4th respondents shall also give an opportunity of personal hearing to the petitioner, 5th to 7th respondents as well as the rival claimants, if any, before passing the order. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B,J.) (P.D.B., J.)
30.04.2024

Index : Yes / No
Internet : Yes
vsi

To

- 1.The District Collector,
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2. The District Revenue officer,
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