



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 04-01-2024

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.10909 of 2020

Kumar

...

Petitioner

-VS-

1.The District Collector,
Dharmapuri District.

2.The District Revenue Officer,
Dharmapuri,
Dharmapuri District.

3.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

4.Tahsildar,
Pennagaram Taluk,
Pennagaram,
Dharmapuri.

5.Muniyan
6.Chezhiyan

...

Respondents



Petition under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus directing the respondents 1 to 4 to remove the encroachment of the pathway made by 5th and 6th respondents in S.Nos.301, 309 and 311 of Chinnampalli Village, Pennagaram Taluk, Dharmapuri District, and restore the pathway based on the representation of the petitioner, dated 27.07.2020.

For Petitioner : Mr.M.Selvam

For Respondents 1 to 4 : Mr.J.Ravindran,
Addl. Advocate General,
assisted by
Mr.A.Selvendran,
Special Government Pleader.

For Respondents 5 & 6 : No Appearance

ORDER

(By *S.Vaidyanathan,J.*)

Petitioner has come forward with this Writ Petition praying to direct the respondents 1 to 4 to remove the encroachment of the pathway made by 5th and 6th respondents in S.Nos.301, 309 and 311 of Chinnampalli Village, Pennagaram Taluk, Dharmapuri District, and restore the pathway based on the representation of the petitioner, dated 27.07.2020.

2. Government has filed a detailed counter, wherein, in Paragraph 8, it has been stated that Survey Nos.301 and 311 are classified as Government Vari to the



extent of 0.73.0 Acres and 0.18.0 Acres respectively and that four persons have encroached upon the above two Survey Numbers to the extent of 0.03.50 and 0.05.12 Acres in S.No.301 and 0.13.0 and 0.01.20 Acres in S.No.311.

3. None appears for private respondents 5 and 6, who have encroached the lands.

4. When the land is classified as Government Vari, naturally, the same has got to be protected. It has been stated by fourth respondent - Tahsildar that steps have been taken to evict the encroachments. We make it clear that if the encroachments are not already removed as stated in the Counter, dated 06.10.2020, the land of Government Vari in S.Nos.301 and 311 need to be restored and encroachments removed within one month from the date of receipt of this order. If the same is not done, appropriate disciplinary action will have to be taken against the officials, who are responsible for removing the encroachments.

5. Writ Petition is disposed of accordingly. No costs.

Index : Yes/No
Internet : Yes/No
dixit

(S.V.N.,J.) (K.R.S.,J.)
04-01-2024



WEB COPY



To

- 1.The District Collector,
Dharmapuri District.
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Dharmapuri,
Dharmapuri District.
- 3.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.
- 4.Tahsildar,
Pennagaram Taluk,
Pennagaram,
Dharmapuri.



WEB COPY

5/5



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