



WEB COPY



W.P.No.20818 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2024

CORAM:

THE HON'BLE MR.D.KRISHNAKUMAR
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.No.20818 of 2024

Vaithilingam

... Petitioner

-VS-

1. The District Collector,
Kallakurichi District.

2. The Revenue Tahsildar,
Vaanaapuram Taluk,
Kallakurichi District.

3. Kalvarayan

4. Asodhai

5. Palanimuthu

6. Periyasamy

7. Sekar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to remove the encroachment from Government Prompoko Land in S.No.146/5B situated at Kalaiyanallur Village, Vaanaapuram Taluk and District and take necessary action against 3rd to 7th respondents by considering the representation dated 08.01.2024 preferred before the 1st and 2nd respondents in accordance with law.

For Petitioner : Mr.S.Mohamed Ansar
For R1 & R2 : Mr.K.Karthik Jaganaath
Govt. Advocate



WEB COPY

W.P.No.206 of 2024



ORDER

(By the Hon'ble Acting Chief Justice)

This Writ Petition has been filed for a direction to the 1st and 2nd respondents to remove the encroachment from Government Prompoke Land in S.No.146/5B situated at Kalaiyanallur Village, Vaanaapuram Taluk and District and take necessary action against 3rd to 7th respondents by considering the representation dated 08.01.2024 of the petitioner preferred before the 1st and 2nd respondents in accordance with law.

2. Mr.K.Karthik Jaganaath, learned Government Advocate takes notice for R1 & R2. Notice to R3 to R7 is dispensed with, as no adverse order is passed against them. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. It is the case of the petitioner that he had given a representation dated 08.01.2024 to the Respondent Nos.1 & 2 to remove the encroachment from Government Prompoke Land in S.No.146/5B situated at Kalaiyanallur Village, Vaanaapuram Taluk, Kallakurichi District. It is further case of the petitioner that there are several encroachments on the land in question, which is used by general public as road, on



W.P.No.206 of 2024

account of construction of dwelling houses. The representation submitted by the petitioner for removal of the encroachment did not yield fruitful results, which forced him to file the instant Writ Petition.

4. Learned Government Advocate appearing for R1 & R2 stated that the 2nd respondent / Revenue Tahsildar is the competent authority to take action on the representation of the petitioner and sufficient time may be granted to R2 to consider the said representation and pass suitable orders thereon after providing an opportunity of hearing to the parties concerned.

5. Considering the limited scope of the prayer sought in this Writ Petition, without going into the merits of the matter, *the Writ Petition is disposed of* with a direction to the 2nd Respondent / Tahsildar to consider the representation dated 08.01.2024 of the petitioner and after affording an opportunity of hearing to the parties concerned, take a decision thereon on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

[D.K.K.,ACJ.]

[K.B.,J.]

29.07.2024

Index: Yes / No

Internet: Yes / No

Speaking Order/Non Speaking Order

ar



WEB COPY



W.P.No.20818 of 2024

HON'BLE ACTING CHIEF JUSTICE
AND
K.KUMARESH BABU,J.,
ar

To:

1. The District Collector,
Kallakurichi District.
2. The Revenue Tahsildar,
Vaanaapuram Taluk,
Kallakurichi District.

W.P.No.20818 of 2024

29.07.2024