



WP No.22988 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 14.08.2024

CORAM:

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

THE HONOURABLE MR.JUSTICE P.B. BALAJI

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C.Magendran

... Petitioner

versus

- 1.The District Revenue Officer,
Kallakurichi District,
Kallakurichi.
- 2.The Revenue Divisional Officer,
Kallakurichi District,
Kallakurichi.
- 3.The Revenue Tahsildar,
Kallakurichi District
Kallakurichi.
- 4.Karuppan
- 5.Kannan
- 6.Ganesan
- 7.Muthusamy

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of Mandamus, directing the second respondent to dispose the petitioner's appeal dated 11.04.2023 consequently restore the cart track comprised in Survey No.6/3, 4,5 situated in Lachiyam Village, Kallakurichi Taluk & District from the respondents 4 to 8 and permit the petitioner to use the same for his agriculture purpose and pass orders.

For the Petitioner :Mr.G.Venkatesh

For the Respondents :Mr.A.Edwin Prabakar
State Government Pleader
for respondents 1 to 3
Assisted by Mr.M.Habeeb Rahman
Government Advocate

ORDER

(Made by the Hon'ble Acting Chief Justice)

The writ petition is filed for a direction to the second respondent to dispose the petitioner's appeal dated 11.04.2023, consequently restore the cart track comprised in Survey No.6/3, 4, 5 situated in Lachiyam Village, Kallakurichi Taluk & District from the respondents 4 to 8 and permit the petitioner to use the same for his agriculture purpose.



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2. According to the petitioner, he has preferred an appeal before the second respondent/Revenue Divisional Officer on 11.04.2023 seeking to remove the encroachment in Survey No.6/3, 4,5 situated in Lachiyam Village, Kallakurichi Taluk & District by the respondents 4 to 8 but no action has been taken by the respondent officials. Hence, the petitioner has filed the present writ petition.

3. A communication dated 13.08.2024 has been sent by the Revenue Tahsildar/third respondent to the learned Government Pleader, wherein it is stated that as per sketch, the said land in question is shown as Vandai Pandai (cart track). Therefore, the aforesaid land in question will be restored as Vandai Padai (Cart track) by taking necessary action for the use of the petitioner. The said communication is taken on record.

4. In view of the above communication, we are inclined to direct the respondent officials to take necessary action for removal of the encroachment in the aforesaid land in question by issuing notice to the concerned encroachers. The entire process of removal of encroachment, shall



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be completed, within a period of twelve weeks from the date of receipt of a
copy of this order.

5. The writ petition stands disposed of with the above directions.

There shall be no order as to costs.

(D.K.K., ACJ.) (P.B.B., J.)
14.08.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn



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To

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THE HON'BLE ACTING CHIEF JUSTICE

and

P.B. BALAJI, J.

(mrn)

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