



WP No.27542 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2024

CORAM:

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

THE HONOURABLE MR.JUSTICE P.B. BALAJI

WP No.27542 of 2024

N.Subramanian

... Petitioner

versus

- 1.The District Collector,
Collectorate Campus,
Erode District 638 011
- 2.The Revenue Divisional Officer,
Erode Revenue Division,
Erode District 638 001
- 3.The Assistant Director,
Land Survey & Records Department,
Erode District 638 001
- 4.The Tahsildar,
Erode Taluk & District 638 001
- 5.L.Latha
- 6.P.Mohanaselvan
- 7.M.Palanisamy

...Respondents



WP No.27542 of 2024

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus directing the 4th respondent to act upon the instructions given by the 3rd respondent vide letter bearing Na.Ka./A6/6009/2024 dated 10.07.2024 and forthwith take appropriate steps to remove the encroachments made by the respondents 5 to 7 in the 'Niviyal Kaal Paathai' comprised in RS No.16/4, 16/5 at Nallagoundenpalayam Village, Erode Taluk & District after considering the representation of the petitioner dated 08.07.2024 in accordance with law and on merits expeditiously.

For the Petitioner :Mr.R.Prabakar

For Respondents 1 to 4 :Mr.A.Edwin Prabakar,
State Government Pleader

ORDER

(Made by the Hon'ble Acting Chief Justice)

The writ petition is filed for a direction to the fourth respondent to act upon the instructions given by the 3rd respondent vide letter bearing Na.Ka./A6/6009/2024 dated 10.07.2024 and forthwith take appropriate steps to remove the encroachments made by the respondents 5 to 7 in the 'Niviyal Kaal Paathai' comprised in RS No.16/4, 16/5 at Nallagoundenpalayam Village, Erode Taluk & District after considering the representation of the petitioner dated 08.07.2024 in accordance with law and on merits expeditiously.



WP No.27542 of 2024

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2. According to the petitioner, the property in question is a Niviyal Kaal Paathai comprised in RS No.16/4, 16/5 at Nallagoundenpalayam Village, Erode Taluk & District and the same has been encroached by the respondents 5 to 7. Hence, the petitioner has made a representation dated 08.07.2024 to the first respondent to take steps against the said encroachment. Since no action has been taken, the petitioner has filed the present writ petition.

3. Considering the limited scope of the prayer as sought for in the writ petition, without going into the merits of the case, this Court is inclined to direct the fourth respondent Tahsildar to consider the representation dated 08.07.2024 on its own merits and in accordance with law and pass orders, as early as possible, within a period of twelve weeks from the date of receipt of a copy of this order, after providing opportunity to the parties concerned.

4. With the above directions, the writ petition stands disposed of. There shall be no order as to costs.



WP No.27542 of 2024

WEB COPY

(D.K.K., ACJ.) (P.B.B., J.)
23.09.2024

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

To

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WP No.27542 of 2024



WEB COPY



WP No.27542 of 2024

THE HON'BLE ACTING CHIEF JUSTICE

and

P.B. BALAJI, J.

(mrn)

WP No.27542 of 2024

23.09.2024