



WEB COPY



W.P.No.30337 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2024

CORAM :

THE HON'BLE MR. JUSTICE P.B.BALAJI
AND
THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.30337 of 2024

S.Palanimuthu .. Petitioner

v.

1. The District Collector
District Collectorate
Salem District 636 001
2. The District Revenue Officer
District Collectorate
Salem District 636 001
3. The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Attur Sub Division
Salem District
4. The Tahsildar
Attur Taluk
Salem District .. Respondents

Writ Petition filed under Article 226 of the Constitution of India,



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praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to pass orders on the representation dated 31.08.2024 by directing the 4th respondent to conduct an enquiry as to whether the land in S.No.18/5 now 18/2 at Ammanpalayam Village, Attur Taluk, Salem District is Tharisu land or Odai (lake).

For Petitioner :: Mr.T.Velu

For Respondents :: Mr.M.Murali
Government Advocate

ORDER

(Order of the Court was made by P.B.BALAJI,J.)

The petitioner seeks a limited prayer to issue a writ of mandamus directing the respondents 1 to 3 to pass orders on his representation dated 31.08.2024 by conducting enquiry regarding the land in Survey No.18/5, now 18/2, Ammanpalayam Village, Attur Taluk is Tharisu land or Odai (lake) and to pass suitable orders.

2. Heard both sides.

3. Considering the limited prayer sought for in the writ petition, with



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the consent of the counsel on either side, we have decided to hear the main writ petition. The petitioner only seeks for a limited prayer to the respondents to dispose of his representation dated 31.08.2024 regarding the alleged encroachment. The case of the petitioner is that the lands are only Tharisu lands and not Odai lake lands and therefore if proper enquiry is conducted, the truth will surface and accordingly the respondents shall be enabled to take further action thereafter.

4. Per contra, Mr.Murali, learned Government Advocate appearing for the respondents submits that the fourth respondent will carryout enquiry/survey within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, the fourth respondent is directed to conduct enquiry/survey within a period of four weeks from the date of receipt of a copy of this order and if it is found that the petitioner is an encroacher, the lands being Odai lake lands, then the respondents shall be at liberty to take further action in accordance with law. The writ petition stands disposed of



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accordingly. Consequently, W.M.P.No.33033 of 2024 is closed. No costs.

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Index : yes/no

(P.B.B.,J.)

(G.A.M.,J.)

Neutral citation : yes/no

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SS

To

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