



WEB COPY



W.P.No.36162 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.S. SUNDAR

AND

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.36162 of 2024

M.Arul Murugan

... Petitioner

Vs.

1.The District Collector,
Erode District,
Erode.

2.The Commissioner,
Corporation of Erode,
Erode.

3.The Tahsildar,
Erode Taluk,
Erode.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 09.09.2024 sent for removing the encroachments



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made in Old S.F.No.175/B, New R.S.No.64/1, 64/B after cancelling reclassification which was earlier classified as 'Odai Poramboke' in the Revenue records in accordance with law and within a stipulated period.

For Petitioner : Mr.P.Santhosh
For R1 to R3 : Mr.A.Edwin Prabakar
State Government Pleader
assisted by Mr.M.Habeeb Rahman
Government Advocate

ORDER

(Order of the Court was made by **S.S. SUNDAR, J.**)

This writ petition is filed for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 09.09.2024 for removing the encroachments made in Old S.F.No.175/B, New R.S.No.64/1, 64/B, after cancelling reclassification, which was earlier classified as 'Odai Poramboke' in the Revenue records, in accordance with law and within a stipulated period.

2.Even though the petitioner has approached this Court for issuance of a Writ of Mandamus to give positive directions, the learned counsel for the



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petitioner states that the petitioner will be satisfied if a direction is issued to the respondents to consider the representation of the petitioner, dated 09.09.2024, on merits, within a stipulated period.

3.Considering the limited scope of the prayer that is now sought for by the learned counsel for the petitioner before this Court, this Court, without expressing any opinion on merits of the representation of the petitioner or the contentions raised in the writ petition, directs the 3rd respondent/Tahsildar to consider the representation of the petitioner, dated 09.09.2024, and pass appropriate orders, on merits and in accordance with law, or take appropriate action, if necessary, after holding an enquiry and after giving an opportunity of hearing to the petitioner as well the local body or any one who is interested, within a period of 16 weeks from the date of receipt of a copy of this order, and communicate the outcome of the enquiry to the petitioner. The 3rd respondent/Tahsildar is also directed to conduct a survey, after issuing notice to the petitioner and any other persons who have interest, including the local body.



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4. With the above directions, this writ petition is disposed of. No costs.

(S.S.S.R., J.) (M.S.K., J.)
19.12.2024

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Internet : Yes

Index : Yes

Neutral Citation : Yes

To

1. The District Collector,
Erode District,
Erode.

2. The Commissioner,
Corporation of Erode,
Erode.

3. The Tahsildar,
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and
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