



W.P.(MD) No.545 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

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B.Savadamuthu

... Petitioner

-Vs-

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Palani,
Dindigul District.

3.The Tahsildar,
Tahsildar Office,
Vedasandhur,
Dindigul District.

4.Shanthi

5.Poosaimani

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, Mandamus, directing the official Respondent Nos.1 to 3 to remove the encroachment made by the 4th and 5th respondents in S.F.No. 805 measuring to an extent of 0.16.50 Hectare situated at Paganatham village,



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Vedasandhur Taluk, Dindigul District and take necessary action against the 4th and 5th respondents for their illegal acts of encroaching the said land by considering petitioner's representation dated 07.11.2023.

For Petitioner : Mr.V.Sukumar
For R1 to R3 : Mr.GA.Natraj
Government Advocate

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This writ petition was filed seeking issuance of writ of mandamus directing the official respondents to remove the encroachment made by the 4th and 5th respondents in S.F.No. 805 measuring to an extent of 0.16.50 Hectare situated at Paganatham village, Vedasandhur Taluk, Dindigul District and take necessary action against them by considering petitioner's representation dated 07.11.2023.

2.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3.According to the petitioner, the subject property measuring an extent of 0.16.50 Hectare belongs to the Government and it is being used by the village



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people as Kalam. The fourth and fifth respondents encroached upon the said land. Seeking removal of the same, several representations were filed before the official respondents, lastly on 07.11.2023. Since the same were not considered till date, the petitioner has approached this Court with the aforesaid prayer.

4.Mr.GA.Nataraj, learned Government Advocate, who takes notice for the respondents, on instructions, submitted that the representation of the petitioner dated 07.11.2023 would be considered and necessary action would be initiated to remove the encroachment, if any, on merits and as per the provisions contemplated under the relevant Rules.

5.In view of the above, without going into the merits of the case, we direct the third respondent to consider the representation of the petitioner dated 07.11.2023 and pass appropriate orders on its own merits and in accordance with law after providing sufficient opportunity of hearing to all the parties concerned, including the fourth and fifth respondents. Such an exercise shall be completed as early as possible, preferably, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition stands disposed of. No costs.

[D.K.K., J.] & [R.V., J.]
10.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Revenue Divisional Officer,
Palani,
Dindigul District.
3. The Tahsildar,
Tahsildar Office,
Vedasandhur,
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AND

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