



W.P.(MD) No.3050 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.3050 of 2024

Nithiya

... Petitioner

-Vs-

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Block Development Officer,
Kallal, Sivagangai District.

3.The Tahsildar,
Thirupathur Taluk,
Sivagangai District.

4.Rajendran

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to remove the encroachment made by the fourth respondent in land in S.No.19/13 situated at Ilangudi Village, Thirupathur Taluk, Sivagangai District in pursuant to the proceedings in

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Na.Ka.No.B3/2993/23 dated 19.12.2023 on the file of the second respondent within a time limit as may be stipulated by this Court.

For Petitioner : Mr.K.Jeyamohan
For R1 & R3 : Mr.N.Satheeshkumar
Additional Government Pleader
For R2 : Mr.S.P.Maharajan
Special Government Pleader

ORDER

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

This writ petition has been filed for the issuance of writ of mandamus directing the third respondent to remove the encroachment made by the fourth respondent in land in S.No.19/13 situated at Ilangudi Village, Thirupathur Taluk, Sivagangai District in pursuant to the proceedings in Na.Ka.No.B3/2993/23 dated 19.12.2023 on the file of the second respondent within a time limit as may be stipulated by this Court.

2.Mr.N.Satheeshkumar, learned Additional Government Pleader takes notice for the respondents 1 and 3 and Mr.S.P.Maharajan, learned Special Government Pleader takes notice for the second respondent. Considering the nature of order going to be passed in this writ petition, notice to the fourth

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respondent is dispensed with. By consent of both parties, this writ petition is taken up for final disposal at the time of admission itself.

3.The petitioner alleges that a free house site patta was granted to the petitioner's property by the Government and she is residing in that property. In front of his house, there is a vacant land in S.No.19/13, which is classified as vacant natham land in the revenue records and belongs to the Government. According to the petitioner, the fourth respondent has encroached upon the said land and put up a construction. He made a complaint to the respondents in this regard, but no action has been taken so far. Hence, the petitioner is constrained to file this writ petition.

4.The learned Additional Government Pleader appearing on behalf of the respondents concerned states that the necessary actions are being taken to remove the encroachment made in the petition mentioned property based on report filed by the Block Development Officer and the revenue records.



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5.Considering submission made on behalf of the respondents, this Court is not inclined to issue any positive direction in this writ petition. It is for the respondents to take necessary action based on the complaint made by the petitioner in accordance with law. If the petitioner has any grievance, she can work out her remedy before the appropriate forum. No costs.

[D.K.K., J.] & [R.V., J.]
12.02.2024

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

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Block Development Officer,
Kallal, Sivagangai District.
- 3.The Tahsildar,
Thirupathur Taluk,
Sivagangai District.



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