



W.P(MD)No.6219 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2024

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.6219 of 2020
and
WMP(MD)No.5427 of 2020**

S.Palaniyappan

... Petitioner

vs.

1. The District Collector,
Karur District, Karur.

2. The District Revenue Officer,
Karur District, Karur.

3. The Revenue Divisional Officer,
Karur.

4. The Tahsildar,
Karur Taluk, Karur.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from removing the alleged encroachments made in the property in S.F.Nos. 29/2A, 29/2B and 29/1B situated at Thoranakkalpatti Village, Karur Taluk, Karur, without following due process of law.



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For Petitioner : Mr.K.Balasubramani

For Respondents: Mr.S.Shaji Bino

Special Government Pleader

ORDER

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

This writ petition has been filed for a Mandamus, forbearing the respondents from removing the alleged encroachments made in the property in S.F.Nos.29/2A, 29/2B and 29/1B situated at Thoranakkalpatti Village, Karur Taluk, Karur, without following due process of law.

2. The learned counsel appearing for the petitioner would submit that the petitioner is in possession and enjoyment of the abovesaid survey number ancestrally. However, without issuing any notice and conducting survey, the respondents 3 and 4 are attempting to remove the petitioner from the subject property, stating that the subject property is a Government poramboke land and the petitioner has encroached upon it. In this regard, though the petitioner made a representation dated 10.05.2020 to the 1st respondent through e-mail, the



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same was not considered. Hence, the petitioner has come forward with this writ petition for the abovesaid relief.

3. Heard both sides.

4. Since there is a considerable lapse of time after the earlier representation was made, the petitioner herein is granted liberty to give a fresh representation to the concerned respondent, ventilating his grievances, as expeditiously as possible. On receipt of such a representation, the concerned respondent is directed to consider the same, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondents, as well as to any other person, who may be interested in the subject matter, within a period of three (3) months from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondent to consider the same, on its own merits.



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5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(M.S.R, J.) (A.D.M.C, J.)
11.12.2024

Index : Yes / No
Neutral Citation : Yes / No
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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

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ORDER MADE IN
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