



W.P.(MD) No.7899 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :28.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.7899 of 2024

V.Malisamy

... Petitioner

Vs.

1.The District Collector/Monitoring Committee,
Office of the District Collector,
Sivagangai.

2.The District Revenue Officer,
Officer of the District Revenue Officer,
Sivagangai.

3.The Thasildar,
Taluk Office,
Ilayangudi Taluk,
Sivagangai District.

4.Murugesan

5.Rasappa

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3, to remove the encroachment of the 4th and 5th respondents in Natham Survey No.455/2 in Valakkani Village, Nagaragudi Revenue Group,



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Ilayangudi Taluk, Sivagangai District in “Sandhu” and restore the land for common usage for entire villagers in a time bound manner.

For Petitioner :Mr.D.Senthil
For R-1 to R-3 :Mr.T.Amjad Khan,
Government Advocate

ORDER

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

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 3, to remove the encroachment made by the 4th and 5th respondents in Natham Survey No.455/2 in Valakkani Village, Nagaragudi Revenue Group, Ilayangudi Taluk, Sivagangai District in “Sandhu” and restore the land for common usage of the villagers.

2. According to the learned Government Pleader, the respondents 4 and 5, have submitted an application before the District Revenue Officer, for re-classification of the land and the same is pending. Still the said application is considered by the District Revenue Officer, the request of the petitioner cannot be considered.



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3. At this juncture, the learned counsel appearing for the petitioner has also submitted that the petitioner has also filed his objection before the District Revenue Officer.

4. In view of the aforesaid submissions, this writ petition is dismissed with liberty to the petitioner to work out his remedy before the second respondent - District Revenue Officer. The District Revenue Officer shall consider the objection raised by the petitioner at the time of deciding the application filed by the respondents 3 and 4.
No Costs.

[D.K.K., J.]

[R.V., J.]

28.03.2024

Neutral Citation: Yes / No

Index : Yes / No

PM

To:

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Officer of the District Revenue Officer, Sivagangai.
- 3.The Thasildar,
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Ilayangudi Taluk,
Sivagangai District.



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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

PM

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