



W.P.(MD)No.10384 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

and

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.10384 of 2024

V.Raja Manickam

: Petitioner

Vs.

1.The District Collector,
Karur District.

2.The Tahsildar,
Krishnarayapuram Taluk,
Karur District.

3.The Block Development Officer,
Panchayat Union,
Krishnarayapuram Taluk,
Karur District.

4.The Inspector of Police,
Mayanoor Police Station,
Karur District.



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5.Ragupathi

6.The Divisional Monitoring Committee,
Chaired by Revenue Divisional Officer,
Krishnarayapuram Taluk,
Karur District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 and 4 to remove the encroachment made by the fifth respondent in Survey No.162 situated at Maayanur Village, Krishnarayapuram Taluk, Karur District by considering the representation given by the petitioner dated 18.03.2024.

For Petitioner : Mr.P.Edin Brough

For Respondents 1 to 4 & 6 : Mr.P.Thilak Kumar

Government Pleader

ORDER

[Order of the Court was made by R.SURESH KUMAR, J.]

The prayer sought for herein is for a Writ of Mandamus, directing the respondents 1 and 4 to remove the encroachment made by the fifth respondent in Survey No.162, situated at



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Maayanur Village, Krishnarayapuram Taluk, Karur District, by considering the representation given by the petitioner dated 18.03.2024.

2.Survey No.162, according to the petitioner is a Government Poramboke land, where the fifth respondent has encroached the said land and in order to remove such encroachment, he has given a representation on 18.03.2024 and in order to consider the same and to pass orders thereon on merits, he approached this Court with the aforesaid prayer.

3.Reiterating the same, the learned Counsel for the petitioner seeks indulgence of this Court to issue suitable direction.

4.Mr.P.Thilak Kumar, learned Government Pleader accepts notice for the respondents 1 to 4 & 6 and in view of the order we propose to pass in this writ petition, notice to the fifth respondent is dispensed with.

5.Learned Government Pleader appearing for the official respondents would submit that, as per the instructions he has received from the revenue department, S.No.162 is a Natham



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Poramboke land and not a Government Poramboke land, where a small temple also is located. The Revenue Divisional Officer is empowered to deal with the Natham lands. Therefore, to that extent, the representation submitted by the petitioner dated 18.03.2024, would be considered and decided by the Revenue Divisional Officer concerned on merits and in accordance with law and since he is not a party herein, direction can be given to the concerned Revenue Divisional Officer.

6. Having regard to the said submission made by the learned Government Pleader, we are inclined to dispose of the present writ petition with the following direction:

“There shall be a direction to the Revenue Divisional Officer, Kulithalai, to consider the representation of the petitioner dated 18.03.2024 and to pass orders thereon on merits and in accordance with law, within a period of eight [8] weeks from the date of receipt of a copy of this order.”



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7. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

[R.S.K.,J.] & [G.A.M.,J.]

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Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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_ Karur District.

7.The Revenue Divisional Officer,
Kulithalai,
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R.SURESH KUMAR, J.
and
G.ARUL MURUGAN, J.

MR

ORDER MADE IN
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