



W.P(MD)No.12533 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.P(MD)No.12533 of 2024

Selvaperumal

... Petitioner

VS.

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer/Divisional Monitoring Committee,
Aranthangi,
Pudukkottai District.

3.The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.

4.The Block Development Officer,
Avudaiyarkoil Panchayat Union,
Avudaiyarkoil,
Pudukkottai District.

5.Krishnasamy

6.Rajagopal

... Respondents



W.P(MD)No.12533 of 2024

WEB C PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to remove the illegal encroachments in Government lands in Survey Nos.6 and 22/22 in Kannakkur Village, Thalanur Post, Avudaiyarkoil Taluk, Pudukkottai District made by the respondents 5 and 6 based on the petitioner's representation dated 19.03.2023.

For Petitioner : Mr.C.Hitesh Kumar

For Respondents : Mr.P.Thilak Kumar
Government Pleader
for R.1 to R.4

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

The prayer sought for in this Writ Petition is for a Writ of Mandamus, to direct the respondents 1 to 4 to remove the illegal encroachments in Government lands in Survey Nos.6 and 22/22 in Kannakkur Village, Thalanur Post, Avudaiyarkoil Taluk, Pudukkottai District made by the respondents 5 and 6 based on the petitioner's representation dated 19.03.2023.



W.P(MD)No.12533 of 2024

WEB COPY

2.Heard the learned counsel appearing for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice for the official respondents 1 to 4. In view of the order that is proposed to be passed in this Writ Petition, notice to the private respondents 5 and 6 is hereby dispensed with.

3.Already there has been a direction of this Court to survey the land to identify the encroachment, if any and to take action to remove such encroachment.

4.Pursuant to the same, the revenue people have surveyed the land at various survey numbers including Survey Nos.6 and 22/22 in Kannakkur Village, Thalanur Post, Avudaiyarkoil Taluk, Pudukkottai District and after completing the survey, they found that there are encroachments in some lands belong to the Government.

5.In this regard, proceedings had been issued by the third respondent/the Tahsildar addressed to the fourth respondent on 10.10.2023, wherein insofar as Survey No.6, there are seven encroachers and in Survey No.22/22, there are two encroachers. The list of such



W.P(MD)No.12533 of 2024

encroachers and the extent to which such encroachment has been made by each of the encroachers have also been enumerated in an annexure with the said proceedings of the Tahsildar, dated 10.10.2023.

6.Relying upon these proceedings of the Tahsildar, the learned Government Pleader would contend that since the encroachment has been identified after surveying the lands concerned, necessary action would be taken to remove such encroachment in accordance with law, at the earliest point of time by the revenue authorities headed by the third respondent/the Tahsildar. When such an action is taken, the encroachments found in Survey No.6 as well as Survey No.22/22 in the aforesaid Village also would be taken care of and such encroachers would be removed from the encroached place.

7.The said submissions made by the learned Government Pleader appearing for the official respondents are taken on record.

8.In view of the said stand taken by the official respondents by citing the proceedings, dated 10.10.2023 which had been issued, in fact, after the survey having been completed pursuant to the order passed by



W.P(MD)No.12533 of 2024

WEB COPY

this Court earlier, the petitioner need not have any grievance as of now.

Therefore, recording the said submission made by the learned Government Pleader as well as the proceedings of the Tahsildar, dated 10.10.2023, this Writ Petition is disposed of. However, there shall be no order as to costs.

[R.S.K.,J.] [G.A.M.,J.]
13.06.2024

NCC : Yes / No
Index : Yes / No
ps

To

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
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Pudukkottai District.
- 3.The Tahsildar,
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W.P(MD)No.12533 of 2024

R.SURESH KUMAR,J.
and
G.ARUL MURUGAN,J.

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ORDER MADE IN
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