



W.P.(MD) No.18979 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD) No.18979 of 2024

Reeta

... Petitioner

-VS-

- 1.The District Collector/Monitoring committee,
Collector Office,
Sivagangai District.
- 2.The Tahsildar,
Taluk Office,
Devakottai Taluk,
Sivagangai District.
- 3.The Block Development Officer,
Devakottai Panchayat Union,
Block Development Office,
Devakottai,
Sivagangai District.
- 4.The President,
Village Panchayath,
Keela Uchani Village,
Orumaniyenthal Group,
Keel Uchani Post,
Devakottai Taluk,
Sivagangai District.



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5.Mariasusai @ Jesu

... Respondents

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachment in pathway at S.F.No.408/64 at Keela Uchani Village, Orumaniyenthal Group, Devakottai Taluk, Sivagangai District by way of considering the petitioner's representation on 06.05.2024 and 22.07.2024.

For Petitioner : Mr.R.Jegadeeswaran
For R-1 and R-2 : Mr.SRA.Ramachandran,
Additional Government Pleader
For R-3 : Mr.PT.Thiraviyam,
Government Advocate
For R-5 : Mt.S.Balamurugan

ORDER

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

Mr.P.T.Thiraviyam, learned Government Advocate appears for respondents 1 and 2.

2.Mr.SRA.Ramachandran, learned Additional Government Pleader appears for respondents 3 and 4.



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3.Mr.P.Balamurugan, learned counsel appears for the fifth respondent.

4.The report of the Tahsildar, Devakottai shows that the attempt to survey the land in Survey No.408/64 which is classified as Government Natham Pathway could not be completed in view of certain objection by some persons. While the petitioner blames the fifth respondent, the fifth respondent would blame the petitioner. An F.I.R has also been registered by the police against the petitioner on a complaint by the fifth respondent.

5.The learned counsel for the petitioner as well as the fifth respondent would submit that they would co-operate with the survey operations and if any encroachment is found after survey, the same can be evicted. Therefore, the official respondents are directed to conduct a survey and remove encroachments if any found by following due process of law. The survey shall be completed within a period of eight weeks from today. Further action under the applicable enactment namely the Tamil Nadu Land Encroachment Act, 1905, shall be initiated soon thereafter.



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6.With the above direction, this writ petition stands disposed of.

No Costs.

[R.S.M., J.]

[L.V.G., J.]

05.08.2024

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

PM

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Devakottai Taluk,
Sivagangai District.
- 3.The Block Development Officer,
Devakottai Panchayat Union,
Block Development Office,
Devakottai,
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