



W.P(MD)No.12697 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.12697 of 2018

V.Sangilimuthu

... Petitioner

VS.

1.The District Collector,
Karur.

2.The Tahsildar,
Kulithalai Taluk,
Karur District.

3.The Revenue Divisional Officer,
Kulithalai Division,
Karur District.

4.The Village Administrative Officer,
Porunthalur Village,
Kulithalai Taluk,
Karur District.

5.Balamuthu

6.Mamundi

7.Amirtham

8.Vijaya Rani

9.Gopal

... Respondents



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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 encroachments made by the respondent 5 to 9 in Survey No.242/15 at Thelungupatty, Porunthalur Village, Karur District.

For Petitioner : Ms.Porkodi Karnan
For Respondent Nos.1 to 4 : Mr.S.P.Maharajan
Special Government Pleader
For Respondent Nos.5 to 9 : Mr.R.Murugappan

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to remove the encroachments made by the respondents 5 to 9 in Survey No.242/15 at Thelungupatty, Porunthalur Village, Karur District.

2.The grievance of the petitioner is that though he made a representation to the respondents 1 to 4 as early as on 28.05.2018, seeking to remove the encroachment made by the respondents 5 to 9, the same has not been considered. Hence, he has filed the present Writ Petition.



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3.The learned Special Government Pleader appearing for the respondents 1 to 4 would submit that the property in question ie., Survey No.242/15 is in a Government poramboke land and the same is classified as 'பாத்தை : வாரி' and the learned Special Government Pleader would further submit that the second respondent is the competent authority for removal of encroachment and appropriate action will be taken for removal of the same within a time frame fixed by this Court.

4. Considering the facts and circumstances of the case, the second respondent is directed to consider and dispose of the representation of the petitioner dated 28.05.2018 on merits and in accordance with law. If there is any encroachment in the place in question, after issuing notice and conducting survey in the presence of all the parties concerned, the authorities concerned shall take necessary action for removal of encroachments, after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



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5. As per G.O(Ms)No.64, Revenue and Disaster Management Department, Land Disposal Wing, 'LD.6(2)' Section, dated 08.02.2022, the District Monitoring Committee viz., the District Collector, Karur, shall monitor the same.

6. With the above directions, the Writ Petition is disposed of. No costs.

[D.K.K.,J.] [R.V.,J.]
12.02.2024

NCC : Yes / No
Index : Yes / No
ps



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and
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ORDER MADE IN
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