



W.P(MD)No.22970 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

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M.Mariappan

... Petitioner

Vs.

1.The District Collector/Monitoring Committee,
Virudhunagar.

2.The District Revenue Officer,
Virudhungar.

3.The Revenue Divisional Officer,
Sattur, Virudhunagar District.

4.The Tashildar,
Sattur, Virudhunagar District.

5.The Block Development Officer (Village Panchayat),
Sattur, Virudhunagar District.

6.The President,
Village Panchayat,
Kundalakuthoor,
Sattur Taluk,
Virudhunagar District.

7.A.Radhakrishnan

8.Krishnamoorthy



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- 9.Mariappan
10.P.Gandhiperumal
11.P.Jeganathan
12.Kannan
13.R.Srinikannan
14.S.Vijayalakshmi
15.C.Murugan
16.Balamurugan
17.Sathiyamoorthy
18.Ramasamy
19.Sriniyammal
20.Ramasamy
21.Subbiya
22.Srinivasan
23.Raj Naickar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 4th respondent to remove the encroachments made by the respondents 7 to 23 in Government Poramboke land in Survey No.162/1, Kundalakuthoor Village, Sattur Taluk, Virudhunagar District which is used as pathway.

For Petitioner : Mr.T.S.Mohammed Mohideen

For Respondents : Mr.S.P.Maharajan
Special Government Pleader
for R1 to R4



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: Mr.P.T.Thiraviyam
Government Advocate for R5 & R6

ORDER

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

The fact that there were encroachments is admitted. We had summoned the Tahsildar and required him to file an affidavit explaining the strange procedure adopted by him in addressing the Block Development Officer requiring him to remove the encroachments. The Tahsildar had appeared in person and had stated that this was done out of the ignorance and he would take steps to remove the encroachments. The said explanation was also recorded by us. The affidavit filed by the 4th respondent shall form part of the records.

2. In view of the above, there will be a direction to the Tahsildar, Sattur, to follow the procedure prescribed under the Tamil Nadu Land Encroachment Act, 1905, and remove the encroachments. The proceedings shall be commenced within a period of eight weeks from the date of receipt of a copy of this order and completed within a period of eight weeks therefrom.



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3. With the above directions, the Writ Petition is disposed of

No Costs.

(R.S.M., J.) (S.M., J.)
22.10.2024

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

To

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SUNDER MOHAN, J.

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