



W.P.(MD) No.20502 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.20502 of 2018

and

W.M.P.(MD)No.18249 of 2018

P.Annakamu

... Petitioner

-Vs-

1.The District Collector,
Dindigul District, Dindigul.

2.The Block Development Officer,
Sannarpatti Panchayat Union,
Dindigul East Taluk, Dindigul.

3.The Tahsildar,
Thasildar Office,
Dindigul East Taluk,
Dindigul.

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned order dated 17.09.2018 on the file of the respondent herein and quash the same.

For Petitioner : Mr.V.Illanchezian

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For R1 & R3 : Mr.V.Nirmal Kumar
Government Advocate
For R2 : No Appearance

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The petitioner is the owner of the property in Survey Nos.843/6 and 843/8 at Kuvanuthur Village, Dindigul East Taluk, Dindigul District. The petitioner is running a poultry form in his property. The land adjacent to his property belongs to the Government. Hence, the petitioner is in enjoyment of a portion of the Government property. Therefore, the petitioner was issued with a notice under Sections 6 and 7 of the Tamil Nadu Land Encroachment Act to remove the said encroachments made in the government land. Since the petitioner was running a poultry form, he approached this Court by way of writ petition in W.P.(MD)No. 14062 of 2018 and obtained two months time for shifting the said form.

2.The grievance of the petitioner is that based on the directions issued by this Court in the earlier round of litigation, he removed all the encroachments made in the Government land and obtained a certificate from the authorities concerned for such removal. While that being so, the respondents issued the



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present notice directing the petitioner to remove the encroachments made in the land belonging to the Government. Challenging the same, the petitioner has filed the present writ petition.

3.Perusal of the order passed by this Court in W.P.(MD)No.14062 of 2018 dated 10.07.2018 shows the petitioner undertook to remove the encroachment made by him in the Government land within a period of two months. Having agreed to remove the encroachment, now the petitioner cannot take a 'U' turn stating that no particulars have been given to the petitioner with regard to the encroachment. We are not inclined to accept the contentions raised by the petitioner and to entertain this writ petition. Accordingly, this writ petition is **dismissed**. The authorities concerned are directed to remove the encroachment, if not already removed, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.] & [R.V., J.]
28.02.2024

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