



W.P(MD)No.26606 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2024

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.26606 of 2019
and
WMP(MD)No.22958 of 2019**

Pothumani

... Petitioner

vs.

1. The District Collector,
Dindigul, Dindigul District.

2. The Tahsildar
Taluk Office, Palani Taluk Office,
Dindigul District.

3. The Special Thasildar,
Adi Dravidar Welfare Taluk Office,
Palani Taluk, Dindigul District.

4. The Taluk Surveyor,
Taluk Office, Palani Taluk,
Dindigul District.

5. Gandhi

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 1 to 4



W.P(MD)No.26606 of 2019

herein be suitably restrained from evicting the writ petitioner in any manner without conducting a survey and demarcate 3 cents of land in Plot No.121 in S.No.636/2B, Pottampatti, Kanakkanpatti village, Palani Taluk, as assigned to the writ petitioner by the 3rd respondent vide assignment order dated 03.03.2008.

For Petitioner : Mr.S.Manikandan
For R1 to R4 : Mr.P.Thilakkumar, Government Pleader

ORDER

(Order of the Court was made by **M.S.RAMESH, J.**)

This writ petition has been filed for issuance of a Writ of Mandamus, forbearing the respondents 1 to 4 herein be suitably restrained from evicting the writ petitioner in any manner without conducting a survey and demarcate 3 cents of land in Plot No.121 in S.No.636/2B, Pottampatti, Kanakkanpatti village, Palani Taluk, as assigned to the writ petitioner by the 3rd respondent vide assignment order dated 03.03.2008.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for the official respondents.



W.P(MD)No.26606 of 2019

3. The only apprehension of the petitioner is that the official respondents herein, would resort to remove the petitioner from the subject lands, without following the due procedure contemplated under the Land Encroachment Act, 1971.

4. The learned Government Pleader submits that in case, there is any encroachment in the subject lands, the same shall be removed, after following the due procedures provided under the Tamil Nadu Land Encroachment Act, 1971. In the light of such a submission, no further orders are required to be passed in this writ petition.

5. Accordingly, the writ petition stands closed. No costs. Consequently connected Miscellaneous Petition is closed.

(M.S.R, J.) (A.D.M.C, J.)
11.12.2024

Index : Yes / No
Neutral Citation : Yes / No
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W.P(MD)No.26606 of 2019

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W.P(MD)No.26606 of 2019

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and
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