



W.P.(MD)No.22620 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.22620 of 2017

P.Mutheeswaran

: Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
O/o. The Tahsildar,
Ottanchathiram Taluk,
Dindigul District.

3.R.Rasappa Gounder

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the first respondent to acquire the lands and restore the pathway to burial ground for Scheduled Caste in Survey No.247/1, 239/1A, Irulakudumbanpatty Village, Ottanchathiram Taluk, Dindigul District hectare within time frame stipulated by this Court.



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For Petitioner : Mr.S.Rajasekar
For Respondents 1&2 : Mr.T.Amjadkhan
Government Advocate
For Respondent No.3 : Mr.S.Sivathilakar

ORDER

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

This Writ Petition has been filed for a direction to the first respondent to acquire the lands and restore the pathway to burial ground for Scheduled Caste in Survey Nos.247/1, 239/1A in Irulakudumbanpatty Village, Ottanchathiram Taluk, Dindigul District.

2.Today, when the matter was taken up for hearing, learned Government Advocate, appearing for the official respondents submitted that encroachment have been found in the aforesaid survey numbers and the District Collector has initiated action for removal of encroachments. Further, the District Collector has sent a communication in No.1069/22/A3 dated 10.07.2023 to the Tahsildar concerned for removal of encroachments.



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3.Considering the said submission made by the learned Government Advocate for the official respondents and in the light of the proceedings issued by the District Collector for initiating action for removal of encroachments, the competent authority namely, the Tahsildar, Ottanchathiram Taluk, Dindigul District shall take necessary action for removal of the encroachments in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order. We also make it clear that the Tahsildar shall survey the said property in the presence of the petitioner and the third respondent and if any encroachments are found, action may be initiated for removal of the same.

4.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

[D.K.K.,J.] & [M.S.K.,J.]

22.01.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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To

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Dindigul District,
Dindigul.

2.The Tahsildar,
O/o. The Tahsildar,
Ottanchathiram Taluk,
Dindigul District.



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D.KRISHNAKUMAR, J.
and
MUMMINENI SUDHEER KUMAR, J.

MR

ORDER MADE IN
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