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W.P.(MD)NO.25044 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.25044 of 2024

M.Sathyaseelan

... Petitioner

Vs.

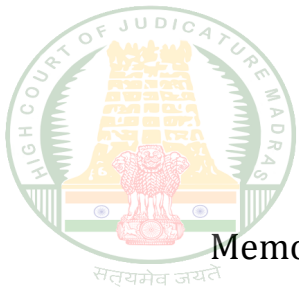
1. The District Collector / Monitoring Committee,
Thanjavur District,
Thanjavur.

2. The Revenue Divisional Officer,
Pattukottai Taluk,
Pattukottai,
Thanjavur District.

3. The Tahsildar,
Pattukottai Taluk,
Thanjavur District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action for removal of encroachments after notice to the encroachers of "Periya Eri" situated in S.Nos. 92, 93 and 94 of Surappallam village of Pattukottai taluk, Thanjavur District on the basis of the last representations given by the petitioner to the respondents dated 07.08.2023 and 11.12.2023 and on the basis of



Memo issued by the 1st respondent to the 3rd respondent in Na.Ka.Aa2/36480/2022 dated 04.09.2022 within the time to be stipulated by this Court.

For Petitioner : Mr.MRS.Prabhu
For Respondents : Mr.P.B.Ahamed Yasmin Parvin,
Government Advocate.

* * *

ORDER

Heard both sides.

2. The petitioner alleges that survey Nos.92, 93 and 94 of Surappallam Village in Pattukottai Taluk which is being classified as “Periya Eri” has been encroached.

3. The learned Government Advocate on written instructions confirms this allegation. It appears that the tank has been converted for cultivation purposes.

4. We direct the third respondent to take action under the appropriate statutory provisions for restoring the tank to its original



position. The third respondent will also collect restoration charges from the persons who had committed encroachments. We make it clear that due process of law will have to be adhered to. Notices will have to be issued to all the encroachers before they are evicted. The entire exercise shall be completed within a period of five months from the date of receipt of a copy of this order. This writ petition stands allowed on these terms. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
18th February 2025

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

To:

1. The District Collector / Monitoring Committee,
Thanjavur District,
Thanjavur.
2. The Revenue Divisional Officer,
Pattukottai Taluk,
Pattukottai,
Thanjavur District.
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