



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2015

CORAM

WEB COPY

THE HONOURABLE **MR. JUSTICE .R. MAHADEVAN**

W.P (MD) .No.3729 of 2015

- 1.Yowan
- 2.A.Johanson
- 3.J.Theres Mary
- 4.J.Esther Mary
- 5.A.Arul Rajesh
- 6.M.Sharmila Mary
- 7.R.Mohan
- 8.M.Pushba
- 9.J.Maria Bhaskar
- 10.T.Amirtharaj
- 11.J.Solomon
- 12.S.Lenus Sarkuna Raj
- 13.S.Anand Raj
- 14.D.Thanga Durai
- 15.M.Thanishlas Nadar
- 16.M.Poopal
- 17.M.Valan
- 18.R.A.Xavier

... Petitioners

Vs

- 1.The District Collector,
Tuticorin District,
Tuticorin.
- 2.The Revenue Divisional Officer,
Tuticorin, Tuticorin District.
- 3.The Tahsildar,
Sathankulam, Tuticorin District.
- 4.Arul Prakasam

... Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus to direct the respondents nos. 1 to 3 to remove the encroachment made by the fourth respondent in Survey No.65/3G and S.No.53/12 classified as pathway sokkankudiyiruppu Post, Kommadikottai Village, Sathankulam Taluk, Thoothukudi District by considering petitioner's representation dated 23.1.2015.

For petitioners

For R.1 to 3

For R.4

: Mr.C.Venkateshkumar

: Mr.S.Chandrasekar
Govt.Advocate

; Mr.Ananth C.Rajesh



ORDER

The petitioner has come forward with this Writ Petition praying for a Writ of Mandamus directing the respondents 1 to 3 to remove the encroachment made by the fourth respondent in Survey No.65/3G and S.No.53/12 classified as pathway Sakkankudiyiruppu post, Kommadikottai Village, Sathankulam Taluk, Tuticorin District by considering the petitioner's representation dated 23.01.2015. Making such prayer, he has made a representation to the official respondents. Since the said representation went unheard of, the petitioner is before this Court for the relief stated supra.

2.. By consent, this Writ Petition itself is taken up for final disposal.

3. The learned counsel appearing for the petitioner would submit that it would be suffice if the representation of the petitioner is disposed of, by the official respondents, on merits and in accordance with law, within the time stipulated by this Court.

4. On notice, the learned Govt.Advocate appearing for the official respondents would submit that the representation of the petitioner will be considered in accordance with law.

5. The fourth respondent was also put on notice.

6. In view of the above, without going into the merits of the claim made by the petitioner in this Writ Petition, the second respondent is directed to pass appropriate orders on the representation of the petitioner, dated 23.01.2015, on merits and in accordance with law, after giving notice to the petitioner, the private respondents herein as well as any of the interested parties, within a period of two months from the date of receipt of a copy of this order. The petitioner is directed to enclose a copy of this order along with a copy of the representation already sent to the respondents, for proper follow up.

With the above direction, this Writ Petition stands disposed of. No costs.

sd/-

Assistant Registrar,

/True Copy/

Sub Assistant Registrar

ssm

To

1.The District Collector,
Tuticorin District,
Tuticorin.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The Revenue Divisional Officer,



Tuticorin, Tuticorin District.

3.The Tahsildar,

Sathankulam, Tuticorin District.

+1cc to Mr.Ajmal Associates Advocate in Sr.No.38980

+1cc to Mr.Ananth c. Rajesh Advocate in Sr.No.39155

+1cc to Special Government Pleader Advocate in Sr.No.39553

W.P (MD) .No.3729 of 2015

Dated:15.07.2015

sk/28.07.2015/3p/7c