

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2016

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.9914 of 2014

and

M.P.No.1 of 2014

Basheet Ahmed

.. Petitioner

-vs-

1.The District Collector,
Villupuram,
Villupuram District.

2.The Executive Officer,
Sankarapuram Town Panchayat,
Sankarapuram Taluk,
Villupuram District.

3.Ravi

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 and 2 to remove the encroachment and construction made by the third respondent in S.No.53/2A1.

For Petitioner : Mr.G.Rajan

For Respondents : Mr.V.R.Kamalanathan

Addl. G.P. for R1 & R2
Mr.Vijendran for R3

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner seeks removal of encroachment on the alleged common pathway made by the third respondent in S.F.No.53/2A1.

2. The learned counsel for the third respondent, on the other hand states that the land is Grama Natham. He further states that in another writ petition being W.P.No.12584 of 2014 filed by the another person relating to the same survey number against the same respondents, the respondents were directed to look into the matter after notice to all concerned and take a decision within a period of two months.

3. It is stated that the issue is still pending before the

second respondent/Executive Officer of Sankarapuram Town Panchayat.

4. We are of the view that the stand of the respondent authorities would be dependant on the nature of the land. Firstly, verification has to be made as to under what category the land falls and there upon, action in accordance with law would be required to be taken.

5. Since directions have already been issued in another writ petition, all we would like to state is that early adjudication of this issue should be made, especially when the order was passed in the other writ petition being W.P.No.12584 of 2014 almost two years ago. The proceedings be concluded within a maximum period of two months of the receipt of this order, after notice to all concerned with intimation to the petitioner.

6. The writ petition, accordingly, stands disposed of. No costs. Consequently, M.P.No.1 of 2014 is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

bbr

To

- 1.The District Collector,
Villupuram,
Villupuram District.
- 2.The Executive Officer,
Sankarapuram Town Panchayat,
Sankarapuram Taluk,
Villupuram District.

+1cc to M/s. G. Rajan, Advocate, S.R.No.38446
+1cc to the Government Pleader, S.R.No.38510

KGK(CO)
EU(27/07/2016)

W.P.No.9914 of 2014