



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2016

CORAM:

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THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE S.S.SUNDAR

Writ Petition (MD).No.8765 of 2016

A.Ganesan

... Petitioner

Vs.

1. The District Collector,
Tiruchirapalli,
Tiruchirapalli District.
2. The Tahsildar,
Musiri Taluk Office,
Musiri, Trichy District.
3. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Jeeyapuram Sub-Division,
Allur, Trichy District.
4. The Block Development Officer,
Musiri Panchayat Union,
Musiri, Trichy District.
5. The President,
Komangalam Panchayat,
Musiri Taluk,
Trichy District.

6. Mottaiyan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 5, to remove the encroachment and illegal construction of the 6th respondent made in the public pathway, locates in Survey No.385, Kaveripalayam North Street, Komangalam Village, Musiri Taluk, Trichy District by considering the petitioner's representation dated 25.02.2016 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.T.Senthil Kumar

<https://hcservices.ecourts.gov.in/hcservices/>
For R1 to R5 : Mr.A.K.Baskarapandian
Special Govt. Pleader

**ORDER****(Order of the Court was made by S.MANIKUMAR,J.)**

Based on representation dated 25.02.2016, addressed to the Tahsildar, Musiri, alleging encroachment on a common pathway in Survey No.385, Kaveripalayam North Street, Komangalam Village, Musiri Taluk, Trichy District, Writ of Mandamus is sought for.

2. To ventilate the grievance for removal of encroachment, G.O.Ms.No.540, Revenue [LD6(2)] Department dated 04.12.2014 has been issued by setting out the procedure.

3. The petitioner appears to be aware of the G.O., also and he has enclosed the same in the typed set of papers. While that be so, he should have acted only as per the procedure and the time limit fixed in the said G.O. However, taking note of the prayer sought for, we put Mr.A.K.Baskarapandian, learned Special Government Pleader on notice. Considering the limited prayer sought for, he has no objection for the writ petition being taken up for final disposal.

4. In view of the above submission, the District Collector, Tiruchirapalli, Tiruchirapalli District / the first respondent is directed to consider the representation of the petitioner, dated 25.02.2016 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tiruchirapalli,
Tiruchirapalli District.

2. The Tahsildar,
Musiri Taluk Office,
Musiri,
Trichy District.



3. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Jeeyapuram Sub-Division,
Allur,
Trichy District.

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- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 25775
- + 1 CC TO MR.M.S.JEYAKARTHIK, ADVOCATE IN SR NO. 25708
- + 1 CC TO MR.T.SENTHIL KUMAR, ADVOCATE IN SR NO. 25421

AKV

TE/PEK/SAR-I : 02/06/2016 : 3P/7C

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