

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

Dated : 03.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.12914 of 2014

C.Malarkodi

... Petitioner

Vs.

1. The District Collector,
Theni District,
Theni.

2. The Revenue Divisional Officer,
Uthamapalayam,
Theni District.

3. The Tahsildar,
Uthamapalayam,
Theni District.

4. P.Rajendran

5. P.Manikandan

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus forbearing the respondents 4 and 5 from putting up any construction in Survey No.654/1B20, Pallavarayanpatti hamlet, Pannaipuram Village, Uthamapalayam Taluk, Theni District and consequently direct the respondents 1 to 3 to remove the hollow block wall constructed by the respondents 4 and 5 in the said public street.

For Petitioner : Mr.J.Barathan

For Respondents : Mr.M.Govindan, Spl.GP for RR1 to 3
Mr.RR.Kannan for RR4 & 5

O R D E R(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

The writ petitioner seeks a direction for forbearing the respondents 4 and 5 from putting up any construction in Survey No.654/1B20, Pallavarayanpatti hamlet, Pannaipuram Village, Uthamapalayam Taluk, Theni District. A consequential direction is



sought for directing the authorities to remove the hollow block wall stated to have been constructed by the private respondents herein in the said public street.

2. The petitioner has submitted a representation dated 13.06.2014 to the official respondents. This Court therefore directs the third respondent to consider the said representation dated 13.06.2014. If the third respondent finds that any encroachment has been committed on a public street, the third respondent shall cause its removal after due notice to the respondents 4 and 5 and other encroachers if any. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

3. This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Theni District,
Theni.
2. The Revenue Divisional Officer,
Uthamapalayam,
Theni District.
3. The Tahsildar,
Uthamapalayam,
Theni District.

+1cc to M/S. T.R.JEYAPALAM, Advocate, SR.No.70724.

+1cc to M/S. RR.KANNAN, Advocate, SR.No.70114.

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SkM / Arul

SDS/SKN:RSK/SAR 2/04.09.2017/2P/6C