



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.07.2017
CORAM:

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

W.P(MD)No.20766 of 2015

S.Sivasangu

.. Petitioner

Vs.

1.The District Collector,
Collectorate Office,
Dindigul.

2.The Tahsildhar,
Vedasandur Taluk Office,
Vedasandur,
Dindigul District.

3.Block Development Officer,
Village Panchayats,
Vedasandur,
Dindigul District.

4.N.Subramani

5.K.Arumugam

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Second and Third Respondents to evict the unauthorized encroached portion of the Fourth Respondent building in public street in S.No.1294/5 Vaivespuram, Guiliyamparai Via., Nagaya Kottai Post, Vedasandur Taluk, Dindigul District, in order to have smooth movement of vehicles and people in the street.

For petitioner	:	Mr.K.Balasundaram
For Respondents 1 and 2	:	Mr.T.S.Md.Mohideen Additional Government Pleader
For 3 rd Respondent	:	Mr.G.Muthukannan
For 4 th Respondent	:	Mr.P.Mahendran
For 5 th Respondent	:	No appearance



O R D E R

[Order of the Court was made by G.R.SWAMINATHAN, J.]

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This writ petition has been filed for directing the respondents 2 and 3 to remove the encroachment committed by the fourth respondent in public street in S.No.1294/5 at Vaivespuram, Guiliyamparai Via., Nagaya Kottai Post, Vedasandur Taluk, Dindigul District.

2.Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader for the respondents 1 and 2 and the learned counsel for the private respondents.

3.The writ petitioner has already given a representation in this regard on 26.10.2009 and on subsequent occasions, the last one dated 10.11.2014.

4.We direct the second respondent to consider and dispose of the said representation in accordance with law. The second respondent shall survey the property in question with reference to the revenue records. He shall issue prior notice to the fourth respondent before conducting such a survey. If, as a result of survey, any encroachment is noticed, the second respondent shall issue notice to the fourth respondent and proceed strictly in accordance with law before removing the encroachment in question. The entire exercise shall be completed within three months from the date of receipt of a copy of this order.

5.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To:

- 1.The District Collector,
Collectorate Office, Dindigul.
- 2.The Tahsildhar, Vedasandur Taluk Office,
Vedasandur, Dindigul District.
- 3.Block Development Officer, Village Panchayats,
Vedasandur, Dindigul District.
- +One cc to Mr.M.S.Suresh Kumar, Advocate, SR.No.67448
- +One cc to Mr.P.Mahendran, Advocate, SR.No.67536
- +One cc to The Special Government Pleader, SR.No.68377

rj2/vsg

<https://hcservices.courts.gov.in/cse/Res/SAR1/2/8/2017>

ORDER MADE IN

W.P(MD)No.20766 of 2015

25.07.2017