



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.05.2017

CORAM:

THE HONOURABLE Mr.JUSTICE M.V.MURALIDARAN

and

THE HON'BLE Mr.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.10114 of 2017

and

W.M.P. (MD) No.7757 of 2017

T.Ulaganathan

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Nagercoil.

2. The District Revenue Officer,
Collectorate campus,
Kanyakumari District.
Nagercoil.

3. The Tahsildar,
Agastheeswaram Taluk,
Kanyakumari District.

4. The Executive Officer,
Anjugramam Town Panchayat,
Anjugramam,
Kanyakumari District.

5. Ponnammal

6. Charles

7. Yesupatham

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent nos 1 to 4 to remove the encroachments made in S.No.1163/4 which classified as Cart Track, Anjugramam village, Agastheeswaram Taluk, Kanyakumari District and restore the same and put to public usage.

For Petitioner

: Mr.S.Balamurugan

For Respondents 1 to 4

: Mr.T.R.Janarthanan

Additional Government Pleader

**O R D E R**

(Order of the court was made by M.V.MURALIDARAN,J.)

WEB COPY This writ petition has been filed by the petitioner for issuance of a writ of Mandamus, directing the respondent nos 1 to 4 to remove the encroachments made in S.No.1163/4 which classified as Cart Track, Anjugramam village, Agastheeswaram Taluk, Kanyakumari District and restore the same and put to public usage.

2.The learned Government Advocate takes notice for the respondents 1 to 4. In view of the order to be passed in this petition, notice to the respondents 5 to 7 are dispensed with.

3.At this stage of the hearing of the Writ Petition, the learned counsel appearing on behalf of the petitioner had submitted that it would suffice, if the representation of the petitioner, dated 25.04.2017, is directed to be disposed of, by the respondents 1 to 4, on merits and in accordance with law, within a specified period.

4. The learned Government Advocate appearing on behalf of the respondents 1 to 4 have no objection for such an order being passed by this Court.

5. In view of the averments made in the affidavit filed in support of this Writ Petition and in view of the submissions made by the learned counsel appearing on behalf of the petitioner, the respondents 1 to 4 are directed to consider and dispose of the representation of the petitioner, dated 25.04.2017, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording personal opportunity to the petitioner as well as the respondents 5 to 7.

6. The Writ Petition stands disposed of with the above directions. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District,



2. The District Revenue Officer,
Collectorate campus,
Kanyakumari District.
Nagercoil.

3. The Tahsildar,
Agastheeswaram Taluk,
Kanyakumari District.

4. The Executive Officer,
Anjugramam Town Panchayat,
Anjugramam,
Kanyakumari District.

+1cc to Mr.S.Balamurugan, Advocate Sr.No.57795

+1cc to Mr.M.Ramesh, Advocate Sr.No.57632

+1cc ro Apl.Government pleader Sr.No.57918

mrn/rr

vb/kp/sar3/01.06.2017/3p/8c

W.P. (MD) No.10114 of 2017

26.05.2017