

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

DATED: 21.08.2017

CORAM:

WEB COPY

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

W.P. (MD) No.14165 of 2017

P.Rajasekar

... Petitioner

Vs.

1. The District Collector,
Sivagangai District.
2. The Tahsildar,
Thirupathur Taluk,
Sivagangai District.
3. The Village Administrative Officer,
Kariyampatti, Tharmapatti Village,
Thirupathur Taluk,
Sivagangai District.
4. Chinniah

... Respondents

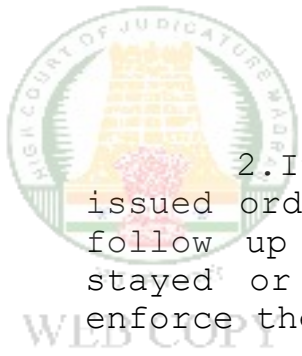
PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1 to 3 respondents to execute the 2nd respondent order vide Na.Ka.No. 5/10135/2016 dated 03.02.2015 to evict the encroachment put up by the 4th respondent in Survey No.211/18 with an extent of 0.0015 Sq. meter out of the whole extent of 000.45 Sq. meter width of public common pathway within a stipulated period as may be fixed by this Court.

For Petitioner	: Mr.K.Neethimohan
For Respondents 1 to 3	: Mr.T.S.Mohammed Mohideen Additional Government Pleader
For 4 th Respondent	: Mr.A.Prasanna Rajadurai for Mr.S.Muthalraj

O R D E R

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

The writ petitioner seeks removal of the encroachment committed by the fourth respondent herein in survey no.211/18 in public pathway in Tharmapatti Village, Thirupathur Taluk, Sivagangai District.



2. It appears that the second respondent herein had already issued orders in this regard as early as on 03.02.2015. But no follow up action was taken. If the said order has not been stayed or set aside, it is the duty of second respondent to enforce the said order.

3. The second respondent herein is granted three months time to complete the process of removal of the encroachment alleged by the writ petitioner herein.

4. The Writ Petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District.
2. The Tahsildar,
Thirupathur Taluk,
Sivagangai District.
3. The Village Administrative Officer,
Kariyampatti, Tharmapatti Village,
Thirupathur Taluk,
Sivagangai District.

+1cc to M/S. NA.PALANIYANDI, Advocate, SR.No.73599.

+1cc to Special Government Pleader, SR.No.73888.

ORDER MADE IN
W.P. (MD) No.14165 of 2017
21.08.2017

rmi

SDS/SKN:RSK/SAR 2/07.09.2017/2P/6C