



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2017

CORAM:

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**THE HONOURABLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA**

W.P.[MD].No.12569 of 2016

General Public of Maamarathupatti,
sukkampatti Village,
Vedachandur Taluk,
Dindigul District,
rep. by V.Thangavel.

: Petitioner

Vs.

1. The District Collector,
Collectorate,
Dindigul.
2. The Tahsildar,
Vedachandur Taluk,
Dindigul District.
3. The Block Development Officer,
Union Office,
Vadamadurai,
Dindigul District.
4. The President,
Sukkampatti Village Panchayat,
Vedachandur Taluk,
Dindigul District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to remove the encroachment in public cart in S.F.No.319, at Sukkampatti Village, Vedachandur Taluk, Dindigul District within a stipulated time.

For Petitioner

: Mr.R.S.Sivaram

For respondent Nos.1 to 3

: Mr.M.Govindan,
Special Government Pleader

<https://hcservices.ecourts.gov.in/hcservices/>

For 4th respondent

: No appearance

**O R D E R***********

[Order of the Court was made by **PUSHPA SATHYANARAYANA, J.**]

WEB COPY This writ petition has been filed seeking a direction to the respondents to remove encroachment in public Cart Way in S.F.No.319 at Sukkampatti Village, Vedachandur Taluk, Dindigul District.

2. A perusal of the record would go to show that the said survey number is classified only as a Cart Track. Admittedly, there are encroachments. In proceedings in Na.Ka.No.13857/2015/A4, dated 23.10.2015, the Tahsildar, Vedachandur had given a direction to the Block Development Officer, Vadamadurai to remove the encroachment, after giving due notice to the encroachers. Though the said direction was given on 23.10.2015, no steps have been taken by the authorities concerned to remove the encroachment constraining the petitioner to move this Court.

3. As the facts are not disputed, we are inclined to give a direction to the second respondent to remove the encroachment forthwith. However, the said exercise may be completed within four weeks from the date of receipt of this order.

4. This writ petition is, accordingly, disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Collectorate,
Dindigul.
2. The Tahsildar,
Vedachandur Taluk,
Dindigul District.
3. The Block Development Officer,
Union Office,
Vadamadurai,
Dindigul District.



4. The President,
Sukkampatti Village Panchayat,
Vedachandur Taluk,
Dindigul District.

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+1cc to Mr.R.S.Sivaram, Advocate Sr.No.68046
+1cc to Spl.Government Pleader Sr.No.68335

GCG

VB/SV/AAM/SAR4/01/08/2017/3P/7C

ORDER MADE IN
W.P. (MD) .No.12569 of 2016
25.07.2017