



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2017

CORAM:

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

W.P. [MD] .No.2870 of 2017

Muthu

: Petitioner

Vs.

1. The District Collector,
(Inspector of Panchayat),
Tirunelveli District,
Tirunelveli.
2. The Thasildar,
Sankarankovil Taluk,
Tirunelveli District.
3. The Village Administrative Officer,
Panthapuli Village,
Sankarankovil, Tirunelveli District.

4.Pitchai

5.Rasu

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to consider the petitioner's representation dated 25.01.2017 to remove the encroachment made by the fourth and fifth respondents in S.No.159 in the south street of Panthapuli Village, Sankarankovil Taluk, Tirunelveli District, within a time frame fixed by this Court.

[Prayer amended vide court order dated 13.07.2017 in WMP(MD). 3596/17]

For Petitioner

: Mr.J.C.Rathnavel Pandian

For R-1 to R-3

: Mr.M.Govindan,
Special Government Pleader

For R-4

: No Appearance

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

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner has filed this Writ Petition to direct the respondents 1 to 3 to remove the encroachment made by the respondents 4 and 5 at the south street of Panthapuli Village, Sankarankovil Taluk, Tirunelveli District, by considering his representation dated 25 January, 2017.

2. The learned counsel for the petitioner contented that the respondents 4 and 5 stored building materials on a public pathway and the same resulted in inconvenience to the petitioner and other people.

3. We direct the Tahsildar, Sankarankovil Taluk, the second respondent herein, to issue notice to the respondents 4 and 5 and direct them to remove the building materials, as expeditiously as possible.

4. It is needless to mention that reasonable time should be given to the respondents 4 and 5 to remove the building materials as it is stated that the building materials were stored only for the purpose of construction of a residential house. In case, the respondents 4 and 5 fail to comply with the direction given by the Tahsildar, within the time schedule, it is open to the said authority to take action for clearing the encroachment.

5. The Writ Petition is disposed of with the above direction.
No Costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
(Inspector of Panchayat),
Tirunelveli District,
Tirunelveli.

2. The Thasildar,
Sankarankovil Taluk,
Tirunelveli District.



3. The Village Administrative Officer,
Panthapuli Village,
Sankarankovil, Tirunelveli District.

+1 cc to Mr.J.C.Rathnavel Pandian , Advocate in SR.No. 65828
+1 cc to The Special Government Pleader in SR.No.66131

pm

AE/MR KKR/SAR3/31.07.2017/3P/6C

Order made in
W.P. [MD] .No.2870 of 2017
Dated:
13.07.2017