



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2017

CORAM

WEB COPY

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

W.P. (MD) No.14142 of 2016

M.Settu @ Ganesan

... Petitioner

-vs-

1. The District Collector,
Theni District,
Theni.
2. The Tahsildar,
Andipatty Taluk
Theni District.
3. The Executive Officer,
Andipatty Town Panchayat,
Andipatty,
Theni District.

4.M.Muniyandi

5.M.Settu

6.M.Dhandayutham

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the respondents 4 to 6 in Velu Mooppanar Lane, Ward No.1, Sakkampatti, Andipatty Taluk, Theni District and consequently to direct the respondents 1 to 3 to construct the drainage in the said lane within the period that may be stipulated by this Court.

For Petitioner : Mr.B.Jeyakumar

For R1 & R2 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

For R3 : Mr.G.Muthukannan

**O R D E R**

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

This Writ petition is filed for issuing a Writ of Mandamus, for directing the respondents 1 to 3 to remove the encroachment made by the respondents 4 to 6 in Velu Mooppanar Lane, Ward No.1, Sakkampatti, Andipatty Taluk, Theni District and consequently to direct the respondents 1 to 3 to construct the drainage in the said lane within the period that may be stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner, The learned Additional Government Pleader, appearing for the first and second respondent, the learned counsel appearing for the third respondent and the learned counsel appearing for the fourth to sixth respondents.

3.The writ petitioner seeks removal of the encroachment allegedly made by the private respondents in Velu Mooppanar Lane, Ward No.1, Sakkampatti, Andipatty Taluk, Theni District. It is now alleged that the writ petitioner has also committed some encroachments. The second respondent is the authority competent to look into the matter. The second respondent is therefore directed to undertake survey of the area. If encroachments are found, they shall be removed by following the statutory procedure. If the writ petitioner has encroached, the same shall also be removed. The entire exercise shall be completed within three months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(Writs)

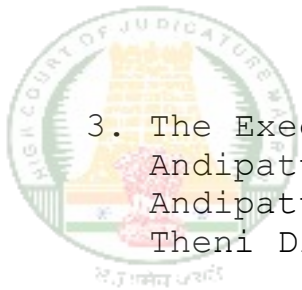
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Sub Assistant Registrar

To

1. The District Collector,
Theni District,
Theni.

2. The Tahsildar,
Theni District.



3. The Executive Officer,
Andipatty Town Panchayat,
Andipatty,
Theni District.

+1 cc to Mr.B.Jeyakumar , Advocate in SR.No. 72182

+1 cc to Mr.C.Deepak , Advocate in SR.No. 72210

+1 cc to The Special Government Pleader in SR.No.72608

sss/dss

AE/MR KKR/SAR1/08.09.2017/3P/7C

W.P. (MD) No.14142 of 2016
10.08.2017