



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **25.04.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **A.SELVAM**
and
THE HONOURABLE MR.JUSTICE **N.AUTHINATHAN**

W.P(MD)No.7725 of 2017

Avudai

.. Petitioner

Vs.

1.The District Collector,
Pudukkottai District, Pudukkottai.

2.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

3.Rahamathulla

4.Shajakhan @ Koyyaas

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents Nos.1 and 2 to remove the encroachment made by the third and fourth respondents and others at public pathway in Survey Nos.77, 135, 136, 145/1, 146, 147, 134/2 situated at Merpanaikadu Village, Aranthangi Taluk, Pudukkottai District by considering the petitioner's representation dated 31.03.2017.

For Petitioner

: Mr.V.Ramalingam

For Respondents 1 and 2

: Mr.K.Guru,
Additional Government Pleader.

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 and 2 to remove encroachments alleged to have been made by the respondents 3 and 4 in Survey Nos.77, 135, 136, 145/1, 146, 147 and 134/2, Merpanaikadu Village, Aranthangi Taluk, Pudukkottai District, on the basis of representation dated 31.03.2017, by way of issuing a writ of mandamus.



2.Mr.K.Guru, learned Additional Government Pleader, has taken notice for the respondents 1 and 2.

3.It is seen from the records that on 31.03.2017, a representation has been given by the petitioner, but the same has not been considered.

4.The specific contention putforth on the side of the petitioner is that the survey numbers mentioned in the petition have been classified as cart track, road and also common pathway.

5.Considering the contention putforth on the side of the petitioner and also considering the fact that only on 31.03.2017 the petitioner has given a representation, this Court is inclined to pass the following order.

6.In fine, this writ petition is allowed in part without costs. The second respondent is directed to look into the representation dated 31.03.2017 and dispose of the same within a period of one month.

SD/-

ASSISTANT REGISTRAR (PROTOCOL)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1.The District Collector,
Pudukkottai District, Pudukkottai.

2.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

+1 CC TO MR.V.RAMALINGAM,ADVOCATE,SR NO.53826

+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.54238

smn

MAS/SV/SAR4:28.04.2017:2P-5C

ORDER MADE IN
W.P (MD) No.7725 of 2017
25.04.2017