



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10310 of 2013

WEB COPY

P.Maruthayappan

.. Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.

2. The Tahsildar,
Taluk Office,
Dindigul.

3. The President,
Palakannuthu Panchayat,
Reddiyar Chathiram Union,
Dindigul Taluk,
Dindigul District.

4.V.Karuppan

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 2 & 3 to remove the encroachment committed by the 4th respondent in the public pathway comprised in Survey No.1252/14, Thathargoundanur, Dindigul Taluk, Dindigul District.

For petitioner : Mr.Karthick Subramanian

For R1 & R2 : Mr.M.Govindan
Special Government Pleader

For R4 : No appearance

ORDER

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

The petition submitted by the petitioner requesting the Tahsildar, Dindigul to remove the encroachment made by the fourth respondent was not taken up for consideration. The petitioner, therefore filed this writ petition.



2. We direct the second respondent to consider and dispose of the representation of the petitioner dated 20.03.2013, on merits and as per law. It is needless to point out that notice should be issued to the fourth respondent before taking any decision in the matter. In short, principles of natural justice shall be followed by the first respondent in the matter of removal of encroachment. We also make it clear that we have not expressed any opinion about the merits of the matter. In any case, the issue shall be considered and disposed of by the Tahsildar, within a period of four months from the date of receipt of a copy of this order.

3. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Dindigul District, Dindigul.
2. The Tahsildar,
Taluk Office, Dindigul.
3. The President,
Palakannuthu Panchayat,
Reddiyar Chathiram Union,
Dindigul Taluk,
Dindigul District.

+1cc to Mr. Karthick Subramanian, Advocate SR.No.63768

RJ2/PSD

VB/SV/SAR3/18.07.2017/2P/5C

**ORDER MADE IN
W.P (MD) No.10310 of 2013
05.07.2017**