

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 24.07.2017

CORAM:

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

W.P. [MD] .No.2323 of 2013

Ramasamy

: Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.
2. The Executive Officer,
Batlagundu Panchayat Union,
Batlagundu,
Dindigul District.
3. T.Thangam
[The Writ Petition is dismissed for default,
as against R-3 vide Court order dated 01.10.2013]
4. Hari Krishna Ice Company,
Pileespuram Street,
Batlagundu,
Dindigul District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first and second respondents to remove the encroachments made by the third and fourth respondents on the public land in Pileespuram, Batlagundu Village, Nilakottai Taluk, Dindigul District.

For Petitioner : Mrs.Maria Roseline,
For M/s.D.Geetha.

For Respondents 1&2: Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

For Respondent No.3 : Dismissed vide Court order dated
01.10.2013

For Respondent No.4 : No Appearance

**O R D E R**

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

The writ petitioner complains of encroachment committed by the third and fourth respondents.

2. According to the writ petitioner, encroachment is in respect of both public pathway as well as river Poramboke. We permit the petitioner to file a detailed representation to the first respondent forthwith. On receipt of such representation, the first respondent shall forward the same to the jurisdictional authority of the Public Works Department, if the issue concerns river poramboke. If the issue concerns the public pathway, the matter shall be dealt with by the second respondent herein, on being forwarded by the first respondent. There shall be a further direction to dispose of the matter by the concerned authority, within a period of three months from the date of receipt of representation.

3. The Writ Petition is disposed of with the above direction. No costs.

sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District,
Dindigul.

2. The Executive Officer,
Batlagundu Panchayat Union,
Batlagundu,
Dindigul District.

+1cc to M/S. D.GEETHA, Advocate, SR.No.67800.

+1cc to Special Government Pleader, SR.No.67882.

Order made in
W.P.[MD].No.2323 of 2013
24.07.2017