

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 28.04.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.DURAISWAMY****AND****THE HONOURABLE DR.JUSTICE ANITA SUMANTH****W.P (MD) No.10253 of 2018**

A.Isakkimuthu

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Tirunelveli District.
2. The Revenue Divisional Officer,
Revenue Divisional Officer's Office,
Thenkasi, Tirunelveli District.
3. The Block Development Officer,
(Village Panchayat),
Kadaiyanallur,
Tirunelveli District.
4. The Tahsildar,
Tahsildar's Office,
Kadaiyanallur,
Tirunelveli District.

5.Iyyathurai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the fourth respondent herein to remove the encroachments in the Survey No.145, Kasitharmam Village, Kadayanallur Panchayat and Taluk, Tirunelveli District by considering the petitioner's representation dated 12.02.2018 within the stipulated time as fixed by this Court.

For Petitioner : Mr.K.Rajeshwaran

For Respondents : Mr.M.Jeyakumar,
Additional Government Pleader
for R.1, R.2 and R.4

**ORDER**

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the fourth respondent to remove the encroachments in the Survey No.145, Kasitharmam Village, Kadayanallur Panchayat and Taluk, Tirunelveli District, by considering the petitioner's representation, dated 12.02.2018 within a time frame.

2. The learned Counsel appearing for the petitioner submitted that the petitioner has given a representation for the removal of encroachment as early as on 12.02.2018 and the fourth respondent has not considered the same yet.

3. Mr.M.Jeyakumar, learned Additional Government Pleader, taking notice on behalf of the respondents 1, 2 and 4, submitted that the fourth respondent may be directed to consider the petitioner's representation, dated 12.02.2018 and pass orders in accordance with law.

4. Having regard to the submissions made by the learned Counsel appearing on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, we direct the fourth respondent to consider the petitioner's representation, dated 12.02.2018 and pass orders on merits and in accordance with law, after affording due opportunity of personal hearing to all the interested parties within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above observations, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Collectorate,
Tirunelveli District.

2. The Revenue Divisional Officer,
Revenue Divisional Officer's Office,
Thenkasi, Tirunelveli District.



3. The Block Development Officer,
(Village Panchayat),
Kadaiyanallur,
Tirunelveli District.

4. The Tahsildar,
Tahsildar's Office,
Kadaiyanallur,
Tirunelveli District.

+ 1 cc TO Mr.K.Rajeswaran , Advocate in SR No. 64433
+ 1 cc TO The Special Government Pleader in SR No. 64774

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AE/SV MMS/SAR1/18.05.2018/3P/7C

W.P(MD)No.10253 of 2018
28.04.2018