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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.05.2018**

CORAM:

**THE HONOURABLE Mr.JUSTICE M.V.MURALIDARAN
AND**

THE HONOURABLE Mrs.JUSTICE T.KRISHNAVALLI

W.P. (MD) No.11649 of 2018

Santhiyagu

...Petitioner

-Vs-

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Sivagangai, Sivagangai District.
3. The Tahsildar,
Sivagangai, Sivagangai District.
4. The Block Development Officer,
Sivagangai, Sivagangai District.
5. The Executive Officer,
Vaniyangudi Panchayat,
Paiyur Pillavayal,
Sivagangai Taluk, Sivagangai District.

6. Prabhu

...Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the 6th respondent at the place allotted for park in Survey No.113/2B, situated at Kothu Dhanalakshmi Nagar, Allur Panangudi Road, Sivagangai, Sivagangai District by considering the petitioner's representation dated 09.04.2018.

For Petitioner : Mr.R.Murugappan

For R1 to R5 : Mr.VR.Shanmuganathan,
Special Government Pleader.

ORDER

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

The petitioner seeks for a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the 6th



respondent at the place allotted for park in Survey No.113/2B, situated at Kothu Dhanalakshmi Nagar, Allur Panangudi Road, Sivagangai, Sivagangai District by considering the petitioner's representation dated 09.04.2018.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who takes notice on behalf of the respondents 1 to 5. By consent of both parties, the writ petition is taken up for final disposal at the stage of admission itself.

3. Since the petitioner seeks a direction, directing the respondents 1 to 5 to consider the petitioner's representation dated 09.04.2018, without issuing notice to the 6th respondent, this Court is inclined to pass the following order:-

"The third respondent / Tahsildar, Sivagangai, Sivagangai District is directed to consider the petitioner's representation dated 09.04.2018, by giving notice to the petitioner as well as the 6th respondent and on appearance of both the parties, the third respondent is directed to conduct an enquiry and pass appropriate orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order."

4. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Sivagangai, Sivagangai District.
3. The Tahsildar,
Sivagangai, Sivagangai District.
4. The Block Development Officer,
Sivagangai District.



5. The Executive Officer,
Vaniyangudi Panchayat,
Paiyur Pillavayal,
Sivagangai Taluk, Sivagangai District.

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+1cc to R.Murugappan, Advocate Sr.No.66226

MYR/TA

VB/SV/MMS/SAR2/06.06.2018/3P/7C

W.P. (MD) No.11649 of 2018
30.05.2018