



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2018

CORAM:

THE HONOURABLE Mr.JUSTICE M.V.MURALIDARAN
AND
THE HONOURABLE Mrs.JUSTICE T.KRISHNAVALLI

W.P.(MD)No.11811 of 2018
and
W.M.P.(MD)No.10753 of 2018

Thavasi

...Petitioner

-Vs-

1.The District Collector,
Theni, Theni District.

2.The Thasildar,
Theni, Theni District.

3.Maruthu

4.Karuppiah

...Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd respondents to remove an encroachment made by the 3rd and 4th respondent and some unknown persons in Survey No.98/3 Thadichery, Theni Taluk, Theni District on the basis of petitioner's representation dated 16.05.2018 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.A.Banumathy

For R1 and R2 : Mr.K.Saravanan
Government Advocate

ORDER

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

The petitioner has filed the present Public Interest Litigation, seeking issuance of a Writ of Mandamus, to direct the first and second respondents, to remove the encroachments made by the third and fourth respondents and some unknown persons in Survey No.98/3 Thadichery, Theni Taluk, Theni District on the basis of the petitioner's representation dated 16.05.2018, within a stipulated time.



2.Mr.K.Saravanan, learned Government Advocate takes notice for the respondents 1 and 2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

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3. Since the respondents 3 and 4 are alleged to have made encroachments along with other persons, the petitioner has approached this Court by way of this writ petition.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate, who took notice on behalf of respondents 1 and 2.

5. This Court, without going into the merits of the case, directs the respondents 1 and 2 to consider the representation of the petitioner dated 16.05.2018 by giving due opportunity to the petitioner as well as the respondents 3 and 4 and other alleged encroachers by conducting proper enquiry and take action as per law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I) /
Vacation Officer

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Theni, Theni District.

2.The Thasildar,
Theni, Theni District.

+1cc to M/s.A.Banumathy, Advocate, SR.No.66491.

+1cc to Special Government Pleader, SR.No.66550.

W.P. (MD) No.11811 of 2018
01.06.2018

ta/pm

RAM/SKN RSK/SAR 2/05.06.2018/2P/5C

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