



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.11.2018

CORAM:

THE HON'BLE Mr. JUSTICE R.SUBBIAH
AND

THE HON'BLE Mrs. JUSTICE R.THARANI

W.P. (MD) No.21352 of 2018

K.Arumugam

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai East Taluk,
Madurai District.

3.Muthusami

4.A.Pootharaj

... Respondents

PRAYER: The petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action for removal of encroachment made by the respondents 3 and 4 and other individuals at public road in Survey No.138/9B at Malaichamipuram Village, Y.Othakadai Post, Madurai East Taluk, Madurai District by considering the representation dated 26.02.2018.

For Petitioner : Mr.M.Pandian

For Respondents : Mr.P.Sethuraman, Spl.G.P. for R1 & R2

No appearance for R3

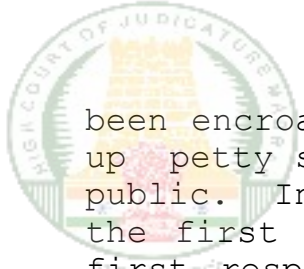
Mr.R.Sivalingam for R4

ORDER

(Order of the Court was made by R.SUBBIAH,J.)

This Writ petition has been filed to issue a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action for removal of encroachment made by the respondents 3 & 4 and others in the public road in Survey No.138/9B at Malaichamipuram Village, Y.Othakadai Post, Madurai East Taluk, Madurai District by considering the representation of the petitioner dated 26.02.2018.

2.It is the case of the petitioner that he is residing in the above said Village. The road in Survey No.138/9B at Malaichamipuram Village, Y.Othakadai Post, Madurai East Taluk, Madurai District has



been encroached by the respondents 3 & 4 and also others by putting up petty shops, which affects the ingress and egress of the general public. In this regard, the petitioner has made a representation to the first respondent on 26.02.2018. In response to the same, the first respondent forwarded the same to the second respondent for taking necessary action. However, no steps have been taken so far. Hence, the petitioner is before this Court with the present Writ petition for the aforesaid relief.

3. Heard the learned counsel for the petitioner, the learned Special Government Pleader appearing for the respondents 1 & 2 and Mr.R.Sivalingam, learned counsel appearing for the fourth respondent.

4. After hearing the arguments on either side, the respondents 1 and 2 are hereby directed to conduct a survey with field map and other relevant documents, if any and if the above said road is encroached, the respondents 1 and 2 shall initiate necessary action to remove such encroachment in accordance with law. The entire exercise shall be completed, within a period of 8 weeks from the date of receipt of a copy of this order. Accordingly, this Writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To
1. The District Collector,
Madurai District,
Madurai.

2. The Tahsildar,
Madurai East Taluk,
Madurai District.

• 1 CC TO Mr.M.Pandian , ADVOCATE IN SR No.95085.

Nbj

DS SKN SAR1 30 11 2018 2P 4C

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13.11.2018