



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD) No.18617 of 2018

WEB COPY

M.Palaniappan

... Petitioner

-vs-

1.The District Collector,  
Pudukkottai District.

2.The Tahsildar,  
Thirumayam Taluk,  
Pudukkottai District.

3.The Special Tahsildar,  
Adi Dravidar Welfare Department,  
Public Office Compound,  
Pudukkottai.

4.Kanmani  
5.Ponnammal

... Respondents

**PRAYER :** Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to measure the land in S.F.No.133/2, measuring about 0.90.0 ares in respect of the land allotted for communal use and common pathway of Ambedkar Nagar, Kuzhipirai Village, Thirumayam Taluk, Pudukkottai District and remove the encroachment by considering the representation dated 20.08.2018.

For Petitioner : Mr.R.Thangapandiayn

For Respondents 1 to 3 : Mr.K.Saravanan  
Government Advocate

**ORDER**

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

This writ petition has been filed seeking a direction to the respondents 1 to 3 to measure the land in S.F.No.133/2, measuring about 0.90.0 ares in respect of the land allotted for communal use and common pathway of Ambedkar Nagar, Kuzhipirai Village, Thirumayam Taluk, Pudukkottai District and remove the encroachment by considering the representation dated 20.08.2018.



2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3.

3. Though respondents 4 and 5 have not been served, the learned counsel appearing for the petitioner would submit that the representation of the petitioner dated 20.08.2018, may be directed to be disposed of by the respondent No.2.

4. Considering the submissions made on both sides, this Court, without going into the merits of the claim made by the petitioner, directs the second respondent to consider the representation of the petitioner dated 20.08.2018, after giving notice to all the parties concerned and pass appropriate orders on merits and in accordance with law within a period of 8 weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-  
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The District Collector,  
Pudukkottai District.

2. The Tahsildar,  
Thirumayam Taluk,  
Pudukkottai District.

3. The Special Tahsildar,  
Adi Dravidar Welfare Department,  
Public Office Compound,  
Pudukkottai.

+1cc to Spl. Government Pleader Sr.No.84342  
+1cc to Mr.R.Thangapandiyan, Advocate Sr.No.83843

SJ

VB/RP/SAR1/01.10.2018/2P/6C

**W.P. (MD) No.18617 of 2018**  
**11.09.2018**