



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVU

W.P. (MD) No.5470 of 2013

V.Maharajan

... Petitioner

-vs-

1.The District Collector,
Collectorate Buildings,
Madurai District - 625 020.

2.The Block Development Officer,
Madurai East, Madurai District.

3.The Tahsildar,
Madurai North Taluk,
Madurai District.

4.The Planning Officer,
District Rural Development Agency (DRDA),
Madurai North Taluk,
Madurai District - 625 020.

5.The President,
Ilangiyenthal Village Panchayat,
Madurai East Panchayat Union,
Puthu Tamaraipatti (Post),
Madurai - 625 107.

6.S.Rajendran

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1 to 5 respondents to remove encroachment made by the 6th respondent in the pathway (Cement Road) in Athidraavidar Colony Road at Ilangiyenthal Village, Madurai North Taluk, Madurai District.

For Petitioner	:	Mr.R.Jegadeeswaran
For Respondents 1, 3	:	Mr.N.Shanmuga Selvam
For Respondents 2 & 5	:	Additional Government Pleader
For 6 th Respondent	:	No appearance
	:	Mr.R.Anand

**ORDER****(Order of the Court was made by K.K.SASIDHARAN, J.)**

The petitioner has filed this writ petition for issuance of a writ of mandamus to direct the respondents 1 to 5 to take enforcement action to remove the encroachment said to have been made by the 6th respondent by laying a pathway (Cement Road) at Athidravidar Colony Road, Ilangiyenthal Village, Madurai North Taluk, Madurai District.

2.The learned counsel for the petitioner on instruction submitted that during the currency of the writ petition part of the encroachment has already been removed by the Block Development Officer, the second respondent herein. According to the counsel, the authorities assured that the remaining encroachment will also be removed.

3.Even according to the petitioner, the respondents 2 and 3 themselves have removed a portion of the encroachment. It is for the respondents 2 and 3 to take follow up action for removal of the remaining encroachment after issuing notice to the sixth respondent. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

4.The Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar (CS-I)

To

- 1.The District Collector,
Collectorate Buildings,
Madurai District - 625 020.
- 2.The Block Development Officer,
Madurai East, Madurai District.
- 3.The Tahsildar,
Madurai North Taluk,
Madurai District.
- 4.The Planning Officer,
District Rural Development Agency (DRDA),
Madurai North Taluk,
Madurai District - 625 020.

+ 1 CC TO Mr.R.JEGADEESWARAN, ADVOCATE IN SR No. 95471

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 95182

SJ

<https://hcservices.ecourts.gov.in/hcservices/>

TE/SV/SAR-1 : 11/12/2018 : 2P/7C

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