



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2019

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) .No.4564 of 2019

M.Murugesan

... Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Revenue Divisional Officer,
Devakottai Division,
Sivagangai District.

3. The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

4. The Block Development Officer (V.P.),
Panchayat Union,
Thiruppathur,
Sivagangai District.

5. Mrs.Tamilselvi

... Respondents

Prayer:- Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents 1 to 4 herein to remove the encroachment made by the fifth respondent herein in Survey No.168, Kavanoor Group, Kandavarayanpatti Panchayat, Thiruppathur Taluk, Sivagangai District, in the light of the notice issued by the fourth respondent herein in Na.Ka.No.P3/2432/2017, dated 01.10.2018, within a stipulated time.

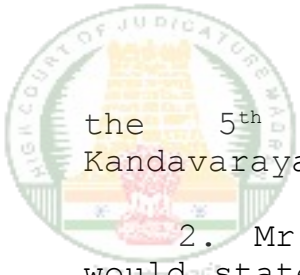
For Petitioner	:	Mr.S.Bharathy Kannan
For R1 to R3	:	Mr.Aayiram K.Selvakumar Additional Government Pleader,
For R4	:	Mr.M.Jeyakumar
For R5	:	No appearance

O R D E R

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

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The prayer in the writ petition is to issue a writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by



the 5th respondent in Survey No.168, Kavanoor Group, Kandavarayanpatti Panchayat, Thiruppathur Taluk, Sivagangai District

2. Mr.S.Bharathy Kannan, learned counsel for the petitioner would state that the third respondent after conducting a survey in the land in dispute, found that encroachment made by the 5th respondent. It is further stated that though the fourth respondent had issued notices in the month of August 2018 and October 2018, the encroachment has not been removed by the respondents.

3. Despite service of notice on the fifth respondent, she has not been appeared either in person or through counsel.

4. Mr.Aayiram K.Selvakumar, learned Additional Government Pleader would state that the notices were issued by the Block Development Officer under Section 131 of the Panchayat Act and if the encroachment is not removed by the fifth respondent, the third respondent is the proper authority to take further action.

5. In the light of the above submissions and also considering the facts and circumstances of the case, the third respondent is directed to consider the grievance of the petitioner and take appropriate action in accordance with law, after providing opportunity to all necessary parties, within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Revenue Divisional Officer,
Devakottai Division,
Sivagangai District.

3. The Tahsildar,
<https://hcservices.ecourts.gov.in/hcservices/>
Thiruppathur Taluk,
Sivagangai District.



4. The Block Development Officer (V.P.),
Panchayat Union,
Thiruppathur,
Sivagangai District.

+1cc to Mr.S.BHARATHY KANNAN, Advocate, SR.No. 58416

+1cc to M/s.Special Government Pleader, SR.No. 58558

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