



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
AND
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P(MD)NO.22805 OF 2018

Dhanraj

: Petitioner

.vs.

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The Revenue Divisional Officer,
Musiri,
Trichy District.
- 3.The Tahsildar,
Musiri Taluk,
Trichy District.
- 4.The Block Development Officer,
Block Development Office,
Musiri,
Trichy District.

5.Murugesan

6.Rathinasamy

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 3 and 4 to remove the encroachment of the Government Pathway(Vandi Padhai) comprised in S.No.162, situated at Sellipalayam Village, Soorampatti Post, Musiri Taluk, Trichy District encroached by the respondents 5 and 6 by taking necessary action based on the Petitioner's representation, dated 1.6.2018.

For Petitioner

:Mr.A.Joel Paul Antony

For Respondents

:Mr.VR.Shanmuganathan
Special Govt. Pleader

1 to 3

For Respondent-4

:Mr.Aayiram K.Selvakumar
Addl. Govt.Pleader



O R D E R

[Order of the Court was made by **K.KALYANASUNDARAM. ,J.**]

Heard Mr.A.Joel Paul Antony, learned counsel appearing for the Petitioner, Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the respondents 1 to 3 and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader appearing for the fourth respondent and perused the materials available on record. Despite service of notice and the name of the respondents 5 and 6 are printed in the cause-list, none appears for them.

2.This Writ Petition has been filed for issuance of a Writ of Mandamus directing the respondents 3 and 4 to remove the encroachment in the Government Pathway(Vandi Padhai) comprised in S.No.162, situated at Sellipalayam Village, Soorampatti Post, Musiri Taluk, Trichy District encroached by the respondents 5 and 6, by taking necessary action based on the Petitioner's representation, dated 01.06.2018.

3.The learned counsel for the Petitioner would state that it would suffice if a direction is issued to the third respondent to pass orders on the representation of the Petitioner.

4.The learned Special Government Pleader appearing for the respondents 1 to 3 would state that the representation of the Petitioner would be considered, in accordance with law.

5.In the light of limited scope of the prayer sought for in the Writ Petition and the submissions of the learned counsels appearing on either side, this Court, without expressing any opinion on the merits of the matter, directs the third respondent to consider the representation of the Petitioner, dated 29.10.2018 and pass orders on merits and in accordance with law, after providing opportunity to all the necessary parties concerned, 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 stands disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Trichy District,
<https://hcservices.ecourts.gov.in/hcservices/>
Trichy.



2.The Revenue Divisional Officer,
Musiri, Trichy District.

3.The Tahsildar,
Musiri Taluk,
Trichy District.

4.The Block Development Officer,
Block Development Office,
Musiri, Trichy District.

+1 CC to M/s.A.JOEL PAUL ANTONY, Advocate in SR-60425

W.P (MD) NO.22805 of 2018
10.04.2019

vsn

PK/26.04.2019 : 3P/5C