



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P. (MD) No.17521 of 2019
and W.M.P. (MD) No.14008 of 2019

Lakshman

... Petitioner

-VS-

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Tahsildar,
Rajapalayam,
Virudhunagar District.
- 3.The Block Development Officer,
Samsusikapuram Panchayat,
Rajapalayam,
Virudhunagar District.
- 4.Rajendran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd Respondent to follow the due process of law before evicting the petitioner from his title roof house bearing door No.4/43, comprised in Survey No.68A/2, Ganapathiyapuram Street, Samuskiapuram Village, Rajapalayam Taluk, Virudhunagar District.

For Petitioner : Mr.A.Balaji

For Respondents 1 to 3 : Mr.A.K.Baskarapandian,
Special Government Pleader

For 4th Respondent : Mr.R.Niresk Kumar

O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.A.Balaji, learned counsel appearing for the petitioner, Mr.A.K.Baskarapandian, learned Special Government Pleader appearing for the respondents 1 to 3 and Mr.R.Niresk Kumar, learned counsel appearing for the fourth respondent.



2.By consent on either side, this Writ Petition is taken up for final disposal.

3.The present Writ Petition has been filed as a counter blast to the Writ Petition filed by the fourth respondent in W.P.(MD) No.1198 of 2019, stating that the petitioner is an encroacher. The said Writ Petition was disposed of by order dated 14.02.2019 without notice to the petitioner herein. Since this Court was inclined to pass an innocuous order, now the petitioner says that the 4th respondent is an encroacher.

4.The learned Special Government Pleader appearing for the respondents 1 to 3 would submit that the authorities will examine the entire matter unbiased.

5.In view of the above submissions, wherever there is encroachment, whether it is committed by the petitioner or the fourth respondent or a third party, action will have to be taken for removal of the same by the respondents 1 to 3 after following due process of law.

6.The Writ Petition is disposed of with the above direction. Consequently, connected Writ Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(AD-I)

/TRUE COPY/

Sub Assistant Registrar

sj

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Rajapalayam,
Virudhunagar District.

3.The Block Development Officer,
Samsusikapuram Panchayat,
Rajapalayam,
Virudhunagar District.

+1 CC to M/s.A.BALAJI, Advocate (SR-88208[F] dated 20/09/2019)

<https://hccservices.courts.gov.in/hccservices/> GP (SR-88390[F] dated 20/09/2019)



W.P.(MD) No.17521 of 2019

W.P. (MD) No.17521 of 2019
and W.M.P. (MD) No.14008 of 2019
19.09.2019

JM/11.10.2019/3P/6C

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