



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P (MD) No.23622 of 2019

K.Muthuramalingam

... Petitioner

Vs.

1.The District Collector,
Madurai-625 020.

2.The Tahsildar,
Melur Taluk,
Madurai District.

3.The Revenue Inspector,
Vellalur Firka,
Melur Taluk,
Madurai District.

4.The Village Administrative Officer,
Thaniyamangalam Village,
Melur Taluk,
Madurai District.

5.Nehru

6.Murugesan

7.Vishwanathan

8.Pandi

9.Meenal

10.Revathi

11.Kumar

... Respondents

(R.5 to R.11 are impleaded vide order
dated 19.11.2019 made in W.M.P.(MD)No.20655/19
in W.P.(MD)No.23622 of 2019)

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus directing the respondents to consider the petitioner's representation dated 21.09.2019 for taking action against the encroachers of the Kalam and usage of the way in total extent of 5 acres in Survey No.360/8, 360/5, 360/4, 341/5, 341/3B, 341/1, 376, 376/6 of Thaniyamangalam Village, Melur Taluk, Madurai District within a specified time as fixed by this Court.



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For Respondents

: Mr.A.Muthukaruppan
Special Government Pleader
for R.1 to R.4
:Mr.T.Lajapathi Roy
for R.5 to R.11

ORDER

(Order of this Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above writ petition to issue a writ of mandamus directing the respondents to consider the petitioner's representation dated 21.09.2019 for taking action against the encroachers of the Kalam and usage of the way in an extent of 5 acres in Survey Nos.360/8, 360/5, 360/4, 341/5, 341/3B, 341/1, 376, 376/6 of Thaniyamangalam Village, Melur Taluk, Madurai District within a time frame.

2. It is the case of the petitioner that in spite of giving a representation as early as on 21.09.2019 for taking action against the alleged encroachers, the authorities have not taken any action. According to the petitioner, the respondents 5 to 11 are the alleged encroachers.

3. The learned Additional Government Pleader appearing for the respondents 1 to 4 submitted that the Tahsildar has already sent a letter to the Surveyor for surveying the land which is under occupation of the respondents 5 to 11 and that a direction may be given to the second respondent to consider the petitioner's representation and pass orders in accordance with law.

4. Having regard to the submissions made by the learned Counsel on both sides, taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, we direct the second respondent to consider the petitioner's representation and pass orders on merits and in accordance with law, after giving notice to the respondents 5 to 11, within a period of four weeks from the date of receipt of a copy of this order.

5. With these observations, the Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)



To மேலுர் தாலுக்கை

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Madurai District.

+2 CC to M/s.G.BALASUBRAMANIAM, Advocate (SR-103483[F] dated
04/12/2019)

+1 CC to M/s.SPL GP (SR-103584[F] dated 05/12/2019)

+1 CC to M/s.T.LAJAPATHIROY, Advocate (SR-103759[F] dated
06/12/2019)

W.P (MD) No.23622 of 2019

04.12.2019

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