



WEB COPY

W.P.[MD]No.23937 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.[MD]No.23937 of 2019

P.Singam

: Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Usilampatti,
Madurai District.

3.The Tahsildar,
Peraiyur Taluk,
Madurai District.

4.C.Pandi

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the second and third respondents to remove the encroachment made by the fourth respondent in S.Nos.115/14J, 116/1 and 116/3 at Periyakattalai, Peraiyur Taluk, Madurai District, based on the petitioner's representation dated 01.05.2019.

For Petitioner : Mr.A.Rajaram

For Respondents 1 to 3 : Mr.A.Muthukaruppan

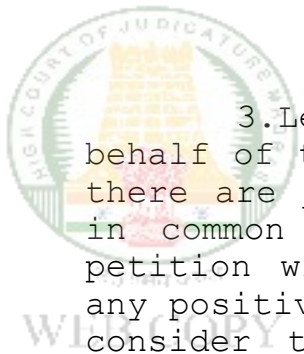
Additional Government Pleader

O R D E R

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

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2.Heard Mr.A.Rajaram, learned Counsel appearing on behalf of the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing on behalf of respondents 1 to 3.



3.Learned Additional Government Pleader accepting notice on behalf of the respondents 1 to 3 submits based on instructions that there are *prima facie* materials to show that there is encroachment in common pathway. However, since we are disposing of the writ petition without notice to the fourth respondent, we cannot issue any positive direction. Therefore, we direct the third respondent to consider the petitioner's representation dated 01.05.2019, issue notice to the fourth respondent, hear the objections that may be filed by the fourth respondent and then take a decision in accordance with law. This direction be complied with within a period of twelve [12] weeks from the date of receipt of a copy of this order.

4.With the above directions, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

MR

To

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Usilampatti,
Madurai District.

3.The Tahsildar,
Peraiyur Taluk,
Madurai District.

+1 CC to Mr.A. RAJARAM, Advocate (SR-97930[F] dated 13/11/2019)
+1 CC to SPL GP (SR-98384[F] dated 14/11/2019)

Order made in
W.P. [MD]No.23937 of 2019

Dated: 13.11.2019

VB(13.12.2019) 2P 6C