



WEB COPY

W.P(MD)No.23964 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P (MD) No.23964 of 2019

Raja Mariya Diraviyam

.. Petitioner

Vs.

1.The District Collector,
Trichy District, Trichy.

2.The Revenue Divisional Officer,
Srirengam Division,
Vannan Kovil, Ramji Nagar Via,
Trichy.

3.The Tahsildar,
Taluk Office, Manapparai,
Trichy District.

4.The Commissioner,
Manapparai Municipality,
Trichy District.

5.Kumar

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to remove the encroachment made on the public pathway situated at the east side of the Plot No.217 in Sy.No.35, Block 10, Ward No.D, Sevalur, Sethurathinapuram, Manapparai Town, Manapparai Taluk, Trichy District.

For Petitioner : Mr.R.Murugappan

For R1 to R3 : Mr.S.Angappan, Government Advocate

For R4 : Mr.J.Lawrance

ORDER

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

Heard Mr.R.Murugappan, learned counsel appearing for the petitioner, Mr.S.Angappan, learned Government Advocate appearing for the respondents 1 to 3 and Mr.J.Lawrance, learned counsel for the fourth respondent.

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2. The petitioner has filed this writ petition alleging that the fifth respondent has encroached into a common pathway. The representation was given to the District Collector. On verification, it was found that the land falls within the jurisdiction of Manapparai Municipality. Therefore, the representation was referred to the Settlement Tashildar, Manapparai by proceedings dated 25.08.2019.

3. It appears that the authorities are looking into the matter. However, without giving reasonable time, the petitioner has rushed to the Court. Photographs produced in the typed set of papers, show that the alleged encroachment is stated to be between two houses. In any event, since the authorities has seized of the matter, we direct the fourth respondent to look into the complaint and authorize spot inspection to be conducted after issuing notice to the petitioner and the fifth respondent. If it is found that there is encroachment, proper procedure to be adopted in accordance with law and action be initiated. The above direction be complied with within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector, Trichy District, Trichy.
2. The Revenue Divisional Officer,
Srirengam Division, Vannan Kovil, Ramji Nagar Via,
Trichy.
3. The Tahsildar,
Taluk Office, Manapparai,
4. The Commissioner,
Manapparai Municipality,
Trichy District.
Trichy District.

+1 CC to M/s.J. LAWRANCE, Advocate (SR-98533[F] dated 15/11/2019)
+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-98667[F] dated 15/11/2019)
+1 CC to M/s.GP (SR-98828[F] dated 15/11/2019)

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Ta/sma/29/11/19/2p/8c

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