



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**

Writ Petition (MD).No.24065 of 2019

V.Pandian

... Petitioner

Vs.

- 1.The District Collector,
District Collector Office,
Theni, Theni District.
- 2.The Tahsildar,
Taluk Office,
Andipatti, Andipatti Taluk,
Theni District.
- 3.The Block Development Officer,
O/o.The Block Development Officer,
Mayiladumparai,
Andipatti Taluk, Theni District.
- 4.The Revenue Inspector,
O/o. The Revenue Inspector,
Mayiladumparai,
Andipatti Taluk, Theni District.
- 5.The Village Administrative Officer,
O/o. Village Administrative Officer,
Kadamalaigundu, Andipatti Taluk,
Theni District.
- 6.Raja
- 7.Chellapandi
- 8.Ramar
- 9.Ravi
- 10.Suresh
- 11.Dilip Kumar

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents 1 to 5 to remove the encroachment encroached by the respondents 6 to 11 in Survey Nos.869 and 870 of Kadamalaigundu Village, Andipatti Taluk, Theni District as per the representation dated 20.09.2019.



For Petitioner : Mr.M.A.M.Raja
For Respondents : Mr.A.K.Baskarapandian (for R1 to R5)
Special Government Pleader

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O R D E R

(Order of the Court was made by **T.S.SIVAGNANAM, J.**)

Heard Mr.M.A.M.Raja, learned counsel appearing for petitioner and Mr.A.K.Baskarapandian, learned Special Government Pleader appearing for respondents 1 to 5. In the light of the order we propose to pass, notice to the respondents 6 to 11 is dispensed with.

2.The petitioner states that there is an encroachment in Survey Nos.869 and 870 in Kadamalaigundu Village, Andipatti Taluk, Theni District, which according to the petitioner, is a road. Since we dispose of this writ petition at the admission stage without issuing notice to the private respondents 6 to 11, we are not inclined to issue any positive direction. However, we direct the respondents 1 to 5 to consider the representation of the petitioner dated 20.09.2019 after issuing notice to the petitioner as well as the private respondents 6 to 11 and conduct an enquiry and spot inspection and thereafter, pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

3.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

// True Copy //

Sub Assistant Registrar(CS)

rmk

To

1.The District Collector,
District Collector Office,
Theni, Theni District.

2.The Tahsildar,
Taluk Office,
Andipatti, Andipatti Taluk,
Theni District.



3.The Block Development Officer,
O/o.The Block Development Officer,
Mayiladumparai,
Andipatti Taluk, Theni District.

4.The Revenue Inspector,
O/o. The Revenue Inspector,
Mayiladumparai,
Andipatti Taluk, Theni District.

5.The Village Administrative Officer,
O/o. Village Administrative Officer,
Kadamalaigundu, Andipatti Taluk,
Theni District.

+1CC TO MR.M.A.M.RAJA, Advocate Sr. No.98746
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 98811

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KMV(CO)
TR(04.12.2019) 3P 8C