



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD) .No.11769 of 2020

R.Rajesh

... Petitioner

Vs.

1.The District Collector,
O/o. The District Collector,
Tiruchirapalli District,
Tiruchirapalli.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Lalgudi Sub Division,
Lalgudi,
Tiruchirapalli District.

3.The Executive Officer,
S.Kannanur Panchayat,
Mannachanallur Taluk,
Tiruchirapalli District.

4.The Executive Officer,
Samayapuram Panchayat,
Samayapuram,
Tiruchirapalli District.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents herein to remove the encroachment in the Public Road adjacent to S.F.No.99/1A, Panchayat Road, S.Kannanur West, Mannachanallur Taluk, Tiruchirapalli District, on the basis of the representation, dated 20.07.2020, within the stipulated time as fixed by this Court.

For Petitioner	: Mr.A.Thiruvadi Kumar
For R1 & R2	: Mr.M.Muthugeethaiyan Special Government Pleader
For R3 & R4	: Mr.M.Karuppasamy Government Advocate

**ORDER**

(Order of the Court was made by **M. SATHYANARAYANAN, J.**)

The writ petitioner is a resident of Pon Nagar, Tiruchirapalli Taluk and District and according to him, the land ad-measuring to an extent of 71003 sq.ft. in Old S.F.No.88/1, New S.F.No.99/1A in Door No.68, Anna Nagar, S.Kannanur West Village, Manatchanallur Taluk, Tiruchirapalli District, happened to be the family property and it is adjacent to Samayapuram Panchayat Road.

2. The petitioner is a Contractor with Indian Oil Corporation Limited, Hindustan Petroleum Corporation Limited, Bharat Petroleum Corporation Limited and servicing the LPG Tankers. It is the specific case of the petitioner that a Panchayat Road in S.F.No.99/1A, S.Kannanur West, Manatchanallur Taluk, Tiruchirapalli District, wherein lot of encroachments and the width of the road also got reduced. The petitioner, in this regard, has submitted the representations dated 28.05.2020, 07.07.2020, to the fourth respondent as well as submitted one more representation dated 20.07.2020, to the first respondent. The office of the first respondent, vide Memo dated 24.08.2020 in O.Mu.A1/15289/2020, has directed the Revenue Tahsildar, Manachanallur as well as the third respondent, to take appropriate action and submit a report to the office, but nothing happening. Therefore, the petitioner is constrained to approach this Court by filing this writ petition.

3. Heard the submission of Mr.A.Thiruvadi Kumar, learned counsel appearing for the petitioner and Mr.M.Muthugeethaiyan, learned Special Government Pleader appearing for the respondents.

4. Though the petitioner prays for the larger relief, this Court, in the light of the above facts and circumstances, and without going into the merits of the claim projected by the petitioner, either in his representations or in this writ petition, directs the Revenue Tahsildar, Manacallur as well as the third respondent to cause joint inspection of the alleged public road in S.F.No.99/1A in Door No.68, Anna Nagar, S.Kannanur West Village, Manatchanallur Taluk, Tiruchirapalli District and if the result of the inspection shows any encroachment or unauthorised construction, shall take appropriate action in accordance with law and also by adhering to the principles of natural justice and complete the said exercise within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the persons concerned if any. The third respondent shall also cause inspection of the petitioner's land to find out as to the



tact of any encroachment and if it is so, he is at liberty to initiate appropriate action in accordance with law, against the petitioner. This writ petition stands disposed of accordingly. No costs.

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Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note:

In view of the present lock down owing to COVID -19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector,
O/o. The District Collector,
Tiruchirapalli District, Tiruchirapalli.
- 2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Lalgudi Sub Division,
Lalgudi, Tiruchirapalli District.
- 3.The Executive Officer,S.Kannanur Panchayat,
Mannachanallur Taluk,
Tiruchirapalli District.
- 4.The Executive Officer,Samayapuram Panchayat,
Samayapuram, Tiruchirapalli District.

COPY TO

The Revenue Tahsildar,
Mannachanallur Taluk, Tiruchirapalli District.

+1 CC to M/s.A. THIRUVADIKUMAR, Advocate (SR-17210[F])
+1 CC to M/s.GP (SR-17276[F])

W.P. (MD) .No.11769 of 2020

16.09.2020

AVS (CO)

TR(30.09.2020) 3P 8C