



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE **N.KIRUBAKARAN**

AND

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P. (MD) No.14767 of 2020

WEB COPY

A.Sahul Hameed : Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.
- 3.The Tahsildar,
Thiruvadanai Taluk,
Thiruvadanai,
Ramanathapuram District.
- 4.The Village Administrative Officer,
Marungur Group,
Marungur,
Thiruvadanai Taluk,
Ramanathapuram District.

5.Abdul Baaki : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made by the 5th respondent in S.No.289, Marungur Group, Thiruvadanai Taluk, Ramanathapuram District.

For Petitioner : Mr.N.Pragalathan

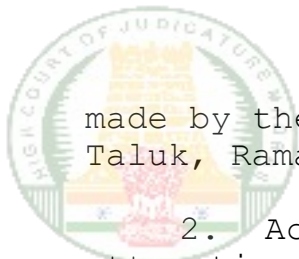
For Respondents : Mr.M.Muthugeethaiyan
Special Government Pleader
for R.1 to R.4

ORDER

(Order of the Court was made by **N.KIRUBAKARAN, J.**)

The petitioner has approached this Court seeking a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment

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made by the 5th respondent in S.No.289, Marungur Group, Thiruvadanai Taluk, Ramanathapuram District.

2. According to the petitioner, the fifth respondent is attempting to encroach upon the property comprised in S.No.289, Marungur Group, Thiruvadanai Taluk, Ramanathapuram District, which is classified as 'Odai', by erecting a shed. He has also unloaded the construction materials, viz., asbestos sheets, fencing stones, cement poles and iron fencing wires. If the said construction is made in the Odai, definitely, it will affect the water body and therefore, the petitioner has made a representation on 16.09.2020 to the respondents 1 to 3 to remove the encroachment made by the fifth respondent. Since no action has been taken by the authorities, he has come before this Court.

3. Mr.M.Muthugeethaiyan, learned Special Government Pleader, who took notice on behalf of the respondents 1 to 4, would submit that after the receipt of the representation from the petitioner, the fourth respondent made an inspection and found the encroachment made by the fifth respondent and thereafter, the same has also been removed. He would further submit that this development has also been informed to the petitioner by the third respondent vide Oo.Mu.4371/2020 (B5), dated 15.10.2020.

4. In view of the same, it is evident that action has been taken promptly by the official respondents, based on the representation given by the petitioner, to remove the encroachment made by the fifth respondent. Hence, recording the submission made by the learned Special Government Pleader and the proceedings of the third respondent, in Oo.Mu.4371/2020 (B5), dated 15.10.2020, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

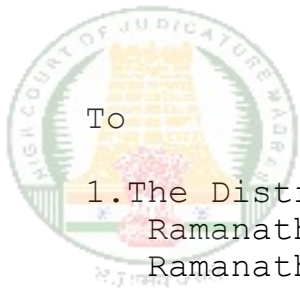
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/ /2020

Sub Assistant Registrar (CS)

gk

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,
Ramanathapuram District,
Ramanathapuram.
- 2.The Revenue Divisional Officer,
Ramanathapuram, Ramanathapuram District.
- 3.The Tahsildar,
Thiruvadanai Taluk,
Thiruvadanai,
Ramanathapuram District.
- 4.The Village Administrative Officer,
Marungur Group,
Marungur,
Thiruvadanai Taluk,
Ramanathapuram District.

+1 CC to M/s.GP (SR-20806[F] dated 02/11/2020)

W.P. (MD) No.14767 of 2020
28.10.2020

GK (CO)

KK(26.11.2020) 3P 6C