



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **02.12.2020**

CORAM:

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

AND

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

**W.P. (MD)No.17323 of 2020**

Ramaiayan

... Petitioner

Vs.

1. The District Collector,  
Virudhunagar District,  
Virudhunagar.
2. The Revenue Divisional Officer,  
Aruppukottai,  
Virudhunagar District.
3. The Deputy Superintendent of Police,  
Thiruchuli Sub Division,  
Virudhunagar District.
4. The Tahsildar,  
Aruppukottai Taluk,  
Virudhunagar District.
5. The Tahsildar,  
Thiruchuli Taluk,  
Virudhunagar District.
6. The Head Surveyor,  
Taluk Office,  
Thiruchuli,  
Virudhunagar District.
7. The Block Development Officer,  
Thiruchuli,  
Virudhunagar District.
8. The Sub Inspector of Police,  
Thiruchuli Police Station,  
Virudhunagar District.
9. Malairajan

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of Mandamus, to direct the  
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respondent Nos.4 and 5 to remove the encroachment made by the 9<sup>th</sup> respondent at Vandipathai Road, comprised in Survey Nos.291/5, 277 and 302, which being the part and parcel of the irrigation Reservoir/Tank, namely, Pannikundu Kanmoi situated at Pannikundu Village, Puliyan Panchayat, Aruppukottai Revenue Division, Virudhunagar District.

For Petitioner : Mr.A.Balaji

For Respondents : Mr.K.Mu.Muthu,  
Additional Government Pleader for R1 to R6 and R8  
Mr.Jeyakumar,  
Additional Government Pleader for R7

**ORDER**

[Order of the Court was made by **N. KIRUBAKARAN, J.**]

This writ petition has been filed by the petitioner seeking for the issuance of a Writ of Mandamus, to direct the respondent Nos.4 and 5 to remove the encroachment made by the 9<sup>th</sup> respondent at Vandipathai Road, comprised in Survey Nos.291/5, 277 and 302, which being the part and parcel of the irrigation Reservoir/Tank, namely, Pannikundu Kanmoi situated at Pannikundu Village, Puliyan Panchayat, Aruppukottai Revenue Division, Virudhunagar District.

2. When the matter is called today, Mr.K.Mu.Muthu, learned Additional Government Pleader, submits that 4 feet has been encroached upon by the 9<sup>th</sup> respondent by putting up asbestos sheet in the pathway.

3. When the official respondents have already found that there is an encroachment, it is their bounden duty to remove the encroachment, after giving notice and an opportunity of hearing to all the encroachers, including the private respondent, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS I)

// 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,  
Virudhunagar District,  
Virudhunagar.
  2. The Revenue Divisional Officer,  
Aruppukottai,  
Virudhunagar District.
  3. The Deputy Superintendent of Police,  
Thiruchuli Sub Division,  
Virudhunagar District.
  4. The Tahsildar,  
Aruppukottai Taluk,  
Virudhunagar District.
  5. The Tahsildar,  
Thiruchuli Taluk,  
Virudhunagar District.
  6. The Head Surveyor,  
Taluk Office,  
Thiruchuli,  
Virudhunagar District.
  7. The Block Development Officer,  
Thiruchuli,  
Virudhunagar District.
  8. The Sub Inspector of Police,  
Thiruchuli Police Station,  
Virudhunagar District.
- +1 CC to M/s.GP ( SR-23883[F] dated 03/12/2020 )

**W.P. (MD) No.17323 of 2020**  
**02.12.2020**

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PK (CO)

**KK(15.12.2020) 3P 10C**

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