



WEB COPY

W.P.(MD) No.26543 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

and

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P. (MD) No.26543 of 2019

and

W.M.P. (MD) No.22920 of 2019

Abil Murathukhan

... Petitioner

-vs-

1.The Tahsildhar
O/o.The Tahsildhar
Singampuneri Taluk
Sivagangai District

2.The Executive Officer-cum-
Block Development Officer
O/o.The Executive Officer-cum-
Block Development Officer
Maruthipatti Village
Singampuneri Taluk
Sivagangai District

3.Raja Mohamed

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents Nos.1 and 2 to remove encroachment made by the respondent No.3 in Survey No.572/10 at Maruthipatti Village, Singampuneri Taluk, Sivagangai District, classified as Pathway Poramboke based on the Notice issued by the respondent No.2 in Na.Ka.P1/350/2019, dated 21.11.2019, within the period stipulated by this Court.

For Petitioner : Mr.M.Natarajan

For Respondents : Mr.J.Gunaseelan Muthiah

Additional Government Pleader for R1

Mr.Karuppasamy Pandian

Government Advocate for R2

Mr.S.Muthalraj for R3

O R D E R

[Order of the Court was made by M.DURAI SWAMY, J.]

The petitioner has filed the above writ petition to issue a writ of mandamus directing the first and second respondents to remove the encroachment made by the third respondent in Survey No.572/10 at Maruthipatti Village, Singampuneri Taluk, Sivagangai District, classified as Pathway Poramboke, based on the notice,



dated 21.11.2019, issued by the second respondent, within a stipulated period.

2. The learned Government Advocate appearing for the second respondent submitted that the second respondent had already issued a notice to the third respondent and that the second respondent would take steps to remove the encroachments made by the third respondent in the subject property in accordance with law, within a period of eight weeks, from the date of receipt of a copy of this order.

3. In view of the submissions made by the learned Government Advocate appearing for the second respondent to the effect that the second respondent would take necessary action for the removal of the encroachments made by the third respondent in the subject property in accordance with law, within a period of eight weeks, from the date of receipt of a copy of this order, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

krk

To:

1.The Tahsildhar,
O/o.The Tahsildhar,
Singampuneri Taluk,
Sivagangai District.

2.The Executive Officer-cum-
Block Development Officer,
O/o.The Executive Officer-cum-
Block Development Officer,
Maruthipatti Village,
Singampuneri Taluk,
Sivagangai District.

+1 CC to M/s.M.NATARAJAN, Advocate (SR-2370[F] dated 22/01/2020)

+2 CC to M/s.SPL.GP (SR-2314[F] dated 22/01/2020) AND SR.2328

+1 CC to M/s.NA.PALANIYANDI, Advocate (SR-2479[F]

W.P. (MD) No.26543 of 2019

and

W.M.P. (MD) No.22920 of 2019

21.01.2020

SMA/ 04/02/2020/2P/7C