



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.P.No.20092 of 2021

P.Gunasekaran

...Petitioner

Vs.

- 1.The District Collector,
Salem District,
Salem.
- 2.The Revenue Divisional Officer,
Attur,
Salem District.
- 3.The Tashildar,
Attur Taluk,
Salem District.
- 4.The Executive Officer,
Veeraganur Town Panchayat,
Veeraganur Post,
Thalaivasal Taluk,
Salem District.
- 5.The Deputy Superintendent of Police,
Attur Range,
Salem District.

6.Ayyakannu

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 to consider the petitioner's representation dated 19.06.2021 and consequently, to remove the encroachments in the common pathway in Survey No.671/16 situated at East Street, Veeraganur Post, Thalaivasal Taluk, Salem District with the help of 4th respondent and to ensure the same for public access in the light of the first respondent's proceedings in O.Mu.16813/2021/K5 dated 27.07.2021.



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For petitioner : Mr.M.Rajendran for
Mr.T.Saravanan

For respondents : Mrs.Akila Rajendran
Govt Counsel (for R1 to R3 and R5)
: Mr.S.J.Mohammed Sathik
Standing Counsel (for R4)

ORDER

(Order of the Court was made by K.KALYANASUNDARAM, J)

Mrs.Akila Rajendran, learned Government Counsel takes notice for the respondents 1 to 3 and 5. Mr.S.J.Mohammed Sithik, learned Standing Counsel takes notice for the fourth respondent. By consent, this writ petition is taken up for final disposal at the admissions stage itself.

2.This writ petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents to consider the representation of the petitioner dated 19.06.2021 and consequently, to remove the encroachments in the common pathway in Survey No.671/16 situated at East Street, Veeraganur Post, Thalaivasal Taluk, Salem District with the help of 4th respondent and to ensure the same for public access in the light of the first respondent's proceedings in O.Mu.16813/2021/K5 dated 27.07.2021.

3.The petitioner would claim that about 1000 families belongs to Schedule Caste are residing in Veeraganur village, Thalaivasal Taluk, Salem District. It is his further case that a panchayat road was formed in S.No.671/16, which is main access for the residents in the area. He would further state that the 6th respondent had encroached upon the public road causing hindrance to the general public. Hence, he made a representation dated 19.06.2021 requesting the authorities to remove the encroachment. Since no action has been taken, the present writ petition has been filed.

4.The learned counsel appearing for the petitioner would state that it would suffice, if a suitable direction is issued to the respondents 3 and 4 to consider the representation of the petitioner.

5.The learned counsels appearing for the official respondents have also stated that the official respondents are ready to take action on the basis of the representation of the petitioner.

6.In the light of the above submission and also taking note of the prayer sought for in this writ petition, this Court,



without going into the merits of the matter, directs the respondents 3 and 4 to take appropriate action on the basis of the petitioner's representation dated 19.06.2021 in accordance with law, after providing ample opportunity to all the necessary parties. The said exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

skn

To

1. The District Collector,
Salem District,
Salem.
2. The Revenue Divisional Officer,
Attur,
Salem District.
3. The Tashildar,
Attur Taluk,
Salem District.
4. The Executive Officer,
Veeraganur Town Panchayat,
Veeraganur Post,
Thalaivasal Taluk,
Salem District.
5. The Deputy Superintendent of Police,
Attur Range, Salem District.

+1cc to Mr. M. Rajendran, Advocate, S.R.No.48109
+1cc to the Government Pleader, S.R.No.48551

W.P.No.20092 of 2021

SJ(CO)
CB(05/10/2021)