



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2021

CORAM:

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

W.P.NO.21662 OF 2021

N.Selvakumar

...Petitioner

.Vs.

1. The District Collector,
Thiruppathur,
Thiruppathur District.
2. The Sub-Collector,
Vaniyambadi,
Thiruppathur District.
3. The Tahsildar,
Vaniyambadi Taluk,
Thiruppathur District.
4. The Deputy Block Development Officer,
Alangayam,
Thiruppathur District.
5. Dhandapani
6. Rajalingam

...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 remove the illegal encroachment by the 5th and 6th respondents on the panchayat road in Survey No.50/13 of Madanacheri Village, Vaniyambadi Taluk, Thiruppathur District based on the petitioner's representation dated 13.07.2020 within a stipulated time as may be fixed by this Court.

For petitioner : Mr.K.Thiruvenkadam
For respondents : Mrs.Akila Rajendran
Govt. Counsel (for R1 to R4)



ORDER

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

Mrs.Akila Rajendran, learned Government Counsel takes notice for the respondents 1 to 4. By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.This writ petition has been filed seeking for issuance of a Writ of Mandamus directing the respondents 1 to 4 to remove the encroachment made in Survey No.50/13 of Madanacheri Village, Vaniyambadi Taluk, Thiruppathur District, based on the petitioner's representation dated 13.07.2020 within a stipulated time.

3.The petitioner would state that he owns agricultural lands measuring to an extent of 0.47 cents comprised in S.No.50/6C of Madanacheri village, Vaniyambadi Taluk and he has been in possession and enjoyment of the same without any interruption. It is alleged that the respondents 5 and 6 have encroached upon a Padhai Poramboke in S.No.50/13, which is only access to his property. It is specifically stated that the private respondents encroached upon the said panchayat road and constructed two open septic tanks and sitting concrete bench in the said road. In this regard, he sent a representation to the official respondents on 13.07.2020. But no action has been taken so far to remove the encroachment.

4.The learned counsel for the petitioner Mr.K.Thiruvengkadam would state that the fourth respondent is the competent authority to consider the grievance of the petitioner and the petitioner would be satisfied, if a suitable direction is issued to the fourth respondent to consider the representation of the petitioner.

5.The learned Government Counsel appearing for the respondents 1 to 4 would state that the fourth respondent is ready to consider the representation of the petitioner in accordance with law.

6.In the light of the above submissions of the learned counsels and also taking note of the prayer sought for in this writ petition, this Court without expressing any opinion on the merits of the matter, directs the fourth respondent to consider the representation of the petitioner dated 13.07.2021 and take appropriate action on the same, in accordance with law, after providing sufficient 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 direction, this Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

skn

To

1. The District Collector,
Thiruppathur,
Thiruppathur District.
2. The Sub-Collector,
Vaniyambadi,
Thiruppathur District.
3. The Thasildar,
Vaniyambadi Taluk,
Thiruppathur District.
4. The Deputy Block Development Officer,
Alangayam,
Thiruppathur District.

W.P.No.21662 of 2021

SVI (CO)
PM/12/11/2021