



WEB COPY

**W.P.(MD)No.183 of 2021**

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.01.2021**

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH**

**AND**

**THE HONOURABLE MRS. JUSTICE S.ANANTHI**

**W.P. (MD)No.183 of 2021**

(Through Video Conferencing)

J.Franklin

: Petitioner

Vs.

1.The District Collector,  
Kanyakumari District.

2.The Revenue Divisional Office  
Boothapandy Taluk  
Boothapandy  
Kanyakumari District.

3.The Assistant Engineer,  
Public Welfare Department  
Nagercoil  
Kanyakumari District.

: Respondents

**PRAYER:** Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 10.11.2020 and remove the encroachments and restore the daily market for public use in the manner known to law.

For Petitioner : Mr.G.V.Vairam Santhosh

For Respondents : Mr.K.P.Krishnadoss

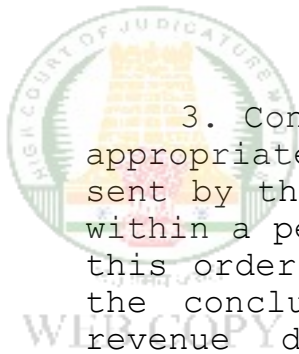
Special Government Pleader

**ORDER**

**(Order of the Court was made by M.M.SUNDRESH, J)**

Heard the learned counsel for the petitioner and the learned Special Government Pleaders appearing for the respondents.

2. The petitioner made a representation on 10.11.2020 to the respondent No.2 stating that the encroachments in S.No.529/1 Kaladichan Kulam, Ettamadai, Azhagiyapandiyapuram village, Boothapandy Taluk, will have to be removed. On receipt of the said representation, the respondent No.2, in and by the proceedings dated 02.12.2020, forwarded the same to the respondent No.3 to take appropriate action. As no further action is forthcoming, the present writ petition is filed.



3. Considering the above, we direct the respondent No.3 to pass appropriate orders in pursuant to the proceedings dated 02.12.2020 sent by the respondent No.2 on the representation of the petitioner within a period of eight weeks from the date of receipt of a copy of this order. We make it clear that if the respondent No.3 comes to the conclusion that the alleged encroached land belongs to the revenue department, we expect the respondent No.2 to take appropriate action within a period of eight weeks from the date of such communication.

4. The writ petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar ( )

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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,  
Kanyakumari District.
- 2.The Revenue Divisional Office  
Boothapandy Taluk  
Boothapandy  
Kanyakumari District.
- 3.The Assistant Engineer,  
Public Welfare Department  
Nagercoil  
Kanyakumari District.

+1 CC to M/s.SPL GP ( SR-677[F] dated 08/01/2021 )

W.P. (MD)No.183 of 2021  
Dated: 07.01.2021

KUN(CO)

KB(21.01.2021) 2P 5C