



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2021

CORAM

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P. (MD)No.16131 of 2013
and M.P. (MD) No.1 of 2013

K.Rajadurai

... Petitioner

Vs.

- 1.The Executive Officer,
Thathilengarpettai Town Panchayat,
Thathilengarpettai, Musiri Taluk,
Trichy District.
- 2.The District Collector of Trichy,
Collectorate Complex, Trichy.
- 3.The Assistant Director (Panchayat),
Tiruchirapalli.
- 4.A.R.S.Balakrishnan
- 5.A.R.S.Lakshmanan
- 6.A.R.S.Arul Prakash
- 7.C.Periyasamy

... 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 3 to remove the additional encroachment by raising the level of the drainage channel with the help of cement slabs and also pucca floor put up around the temple Arulmighu Bagavathi Amman Koil in Panchayat Road bearing S.F.No.806, Pillathurai Village, Thathiengarpettai, Musiri Taluk, Trichy District by the Respondents 4 to 7.

For Petitioner : Mr.D.Senthil
for M/s.G.Vidhya Maheswaran

For Respondent No.1 : Mr.K.Mahes Raja

For Respondent Nos.2 and 3 : Mr.R.Baskaran
Standing Counsel for Government

For Respondent Nos.5 and 6 : Mr.S.Sankar

For Respondent No.7 : Mr.T.Suresh

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**O R D E R**

(Order of the Court was made by T. S. SIVAGNANAM, J.)

The learned counsel for the petitioner as well as the learned counsel for the respondent Nos.5 and 6 are no more. As far as the petitioner is concerned, the representing counsel has sent a registered post, but they have not received any response. So far as the counsel representing the counsel for the respondent Nos.5 and 6 is concerned, he is not able to contact the parties.

2. In any event, the prayer sought for by the petitioner is to remove the encroachment, by considering the representation given by the petitioner. Notice was ordered on 30.09.2013. Thereafter, the matter has been listed for the first time today.

3. Taking note of the efflux of time, no positive direction could be given. However, we permit the petitioner to make a fresh representation, if he is still need to pursue the action sought for. Upon such representation being made, the same shall be considered by the official respondents on merits and in accordance with law after issuing notice to respondent Nos.5 and 6 and the petitioner.

4. The Writ Petition stands disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

sj

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 of Trichy,
Collectorate Complex, Trichy.



2.The Assistant Director (Panchayat),
Tiruchirapalli.

+1 CC to M/s.SPL GP (SR-21927[F] dated 09/07/2021)

W.P. (MD) No.16131 of 2013

07.07.2021

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