



WEB COPY

W.P.(MD)No.2901 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.02.2021**

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.2901 of 2021

(Through Video Conferencing)

Johnson

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District
Thoothukudi.

2.The Assistant Director (Panchayat)
Collectorate, Thoothukudi
Thoothukudi District.

3.The Tahsildar,
Sathankulam Taluk
Thoothukudi District.

4.The Block Development Officer,
Azhvarthirunagari Panchayat Union,
Azhvarthirunagari
Thoothukudi District.

5.The Panchayat President
Karungadal Panchayat,
Sathankulam Taluk
Thoothukudi District.

6.Malaiyappa Nadar

...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 1 to 5 to remove the encroachments made by the 6th respondent in a public pathway situated in S.No.898-30, Middle Street, Pirandakulam, Savariyapuram post, Sathankulam Taluk, Thoothukudi District in the light of the proceedings of the 3rd respondent in Na.Ka.AA5/1964/2020 dated 25.09.2020.

For Petitioner : Mr.Maheswaran

For Respondents : Mr.N.Shanmugaselvam for R1 to R3

Additional Government Pleader

Mr.C.Mari Chelliah Prabhu for R4 & 5



ORDER

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

The grievance of the petitioner is that notwithstanding the proceedings of the respondents 2 to 4 followed by notice issued by the respondent No.5 to the respondent No.6, dated 21.12.2020, the consequential action is not forthcoming by removing the encroachments made by the respondent No.6.

2.The aforesaid proceedings have been initiated in pursuant to the representation given by the petitioner on 12.08.2020. The proceedings of the second respondent dated 16.09.2020 and the last of the proceedings is by the respondent No.4 dated 19.11.2020, preceded by the earlier proceedings made on 02.11.2020, thereafter only the 5th respondent issued notice to the 6th respondent dated 21.12.2020.

3. In the light of the above, we direct the respondent No.5 to conclude the proceedings against respondent No.6 within six weeks from the date of receipt of a copy of this order.

4. The writ petition stands disposed of accordingly. No costs.
Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021
Sub Assistant Registrar(CS)

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,
Thoothukudi District
Thoothukudi.

2.The Assistant Director (Panchayat)
Collectorate, Thoothukudi
Thoothukudi District.

3.The Tahsildar,
Sathankulam Taluk
Thoothukudi District.

<https://hcservices.ecourts.gov.in/hcservices/>



4.The Block Development Officer,
Azhvarthirunagari Panchayat Union,
Azhvarthirunagari
Thoothukudi District.

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+1 CC to Mr.R.MAHESWARAN, Advocate (SR-5512[F] dated
17/02/2021)

+1 CC to SPL GP (SR-5966[F] dated 18/02/2021)

W.P. (MD)No.2901 of 2021

16.02.2021

(ES)

KV(24.02.2021) 3P 7C