



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2021

CORAM:

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

THE HONOURABLE MRS. JUSTICE S.ANANTHI

W.P. (MD)No.6098 of 2021

(Through Video Conferencing)

K.M.Sigamani

: Petitioner

Vs.

1.The District Collector
Ramanathapuram District,
Collectorate,
Ramanathapuram 623 503.

2.The Tahsildar,
Rameshwaram Taluk
Rameshwaram 623 526

3.The Commissioner
Rameshwaram Municipality
Rameshwaram

: 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 third respondent to remove all the encroachment made in Survey Nos.632 and 633 in Rameshwaram Taluk, Ramanathapuram District over the public road Kamarajar Nagar Salai, Rameshwaram, as per the proceedings dated 31.01.2017 in Rc.A4/7936/2016, on the file of the 2nd respondent or to direct all the respondents together to remove the encroachments in accordance with law and the procedure, within the time frame as may be fixed by this Court.

For Petitioner : Mr.S.Subbiah

Senior counsel for
Ms.P.Jessi Jeeva Priya

For Respondents : Mr.N.Shanmugaselvam for R1&R2
Additional Government pleader
Mr.K.P.Krishnadoss for R3
Special Government Pleader

ORDER

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

This is second round of litigation with respect to the very same property. In pursuant to the orders passed, the respondent No.2 has sent a communication in Na.Ka.A4/7936/2016 dated 31.01.2017 directing the respondent No.3 to take appropriate action. This was done after the rejection of the request made by the encroachers for



issuance of patta. Thereafter, the petitioner made another representation on 05.07.2017. Seeking action on the same, the present writ petition has been filed.

2. Though the alleged encroachers are not before us, inasmuch as we are only asking the respondent No.3 to act in tune with the communication sent by the respondent No.2 as aforesaid, the said respondent, namely, respondent No.3 is directed to take appropriate action, in accordance with law, within six weeks from the date of receipt of a copy of this order.

3. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar (P&A)

// 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.

RR

To

- 1.The District Collector
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- 2.The Tahsildar,
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Rameshwaram 623 526
- 3.The Commissioner
Rameshwaram Municipality
Rameshwaram

+1cc to M/S p.Jessi Jeevapriya, Advocate(SR.NO12605 F) dated 19.03.21

+1cc to M/S SPECIAL GOVERNMENT PLEADER, (Sr.No.-12546 F) dated 19.03.21)

Order made in

W.P. (MD)No.6098 of 2021

Dated: 18.03.2021

GS (17.05.2021) 2P 6C

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