



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.8292 of 2021

R.Maheswari

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Usilampatti,
Madurai District.

3.The Tahsildar,
Peraiyur Taluk,
Peraiyur, Madurai District.

4.Mariappan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment put up by the fourth respondent in Government Odai comprised in Survey No.196/6 situated at T.Kallupatti Revenue Village, Peraiyur Taluk, Madurai District based on the petitioner's representation dated 27.08.2019.

For Petitioner : Mr.S.Sadeskumar

For Respondents 1 to 3 : Mr.K.MU.Muthu

Additional Government Pleader

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

With the consent on either side, the Writ Petition itself is taken up for final disposal.

2.Heard Mr.S.Sadeskumar, learned Counsel appearing for the petitioner and Mr.K.Mu.Muthu, learned Additional Government Pleader, appearing for respondents 1 to 3.

3.In the light of the orders we propose to pass, notice to the fourth respondent is dispensed with.

4.The petitioner, by way of this writ petition has sought for



appropriate direction upon the third respondent to remove the encroachment in an Odai.

5.The learned Additional Government Pleader appearing for the third respondent, on instructions, submitted that appropriate directions may be issued to the third respondent to proceed in accordance with law.

6.Since, we are disposing of this writ petition without notice to the fourth respondent, we are not issuing any positive direction. However, if any representation is given by the petitioner, the same shall be taken note of and the third respondent shall give notice to the fourth respondent, conduct inspection / survey in the presence of the fourth respondent and if any encroachment is found, then, after passing a speaking order, action shall be initiated to remove the encroachment. This direction shall be complied with as expeditiously as possible.

7.With the above direction, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CSI)

// 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.

MR

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Revenue Divisional Officer,
Usilampatti,
Madurai District.
- 3.The Tahsildar,
Peraiyur Taluk,
Peraiyur,
Madurai District.



W.P.[MD]No.8292 of 2021

+1 CC to M/s.S.SADESKUMAR, Advocate (SR-17234[F] dated 23/04/2021)

+1 CC to M/s.SPL GP (SR-17345[F] dated 23/04/2021)

WEB COPY

ORDER MADE IN
W.P. [MD]No.8292 of 2021

22.04.2021

GS (11.06.2021) 3P 6C