



WEB COPY

W.P. (MD) .Nos.12228, 12229 and 12230 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2021

CORAM:

The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM

AND

The Hon'ble Mrs.JUSTICE S.ANANTHI

W.P. (MD) .Nos.12228, 12229 and 12230 of 2021

and

W.M.P (MD) Nos.9625, 9626 and 9630 of 2021

- | | |
|---------------|--|
| 1.Radhika | ...Petitioner in W.P. (MD)No.12228 of 2021 |
| 2.Kaliyappan | ...Petitioner in W.P. (MD)No.12229 of 2021 |
| 3.Mahalakshmi | ...Petitioner in W.P. (MD)No.12230 of 2021 |

Vs.

1. The District Collector,
Dindigul District,
Dindigul.
2. The Tahsildar,
Oddanchatram Taluk,
Dindigul District.
3. The Block Development Officer,
(Village Panchayats),
Oddanchatram Panchayat Union,
Dindigul District.
4. The Village Panchayat President,
Chatrapatti Village Panchayat,
Oddanchatram Panchayat Union,
Dindigul District. ... Respondents in all petitions

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying for the issuance of writ of Certiorari, to call for the order passed by the fourth respondent in U.Ka.En:01/2021/U, dated 25.06.2021 quash the same as illegal.

(in all petitions)

For Petitioners : Mr.J.Pandi Dorai

For Respondents 1 to 3 : Mr.A.K.Manikkam,
Standing Counsel for Government

For 4th Respondent : Mr.K.S.Selva Ganesan



C O M M O N O R D E R

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

We have heard Mr.J.Pandi Dorai, learned counsel appearing for the petitioners, Mr.A.K.Manikkam, learned Standing counsel for Government appearing for the respondents 1 to 3 and Mr.K.S.Selva Ganesan, learned counsel appearing for the fourth respondent.

2.All the petitioners are admittedly encroachers who have put up tin shed, compound wall, stair case, etc., in the Agraharam Street. Survey was conducted on 30.12.2020, which obviously all the persons would have been aware as they are scaring on business and other activities in the street.

3.Pursuant to which various proceedings have been initiated and ultimately the impugned notice has been issued, granting 15 days time to the petitioners. Now the petitioners are before this Court challenging the notices.

4.We have elaborately heard the learned counsel for the petitioners and we find that none of the grounds raised by the petitioners are tenable.

5. Admittedly, there is an encroachment into the road. If such is the case, then it has to be immediately removed as it would cause lot of inconvenience to the public.

6.Therefore, we cannot entertain the challenge to the impugned notices. However, taking into consideration that the present situation, which everybody is facing, we extend the time granted by the respondents in the impugned notices, till 19.08.2021, within the said date the writ petitioners and others who are stated to be 12 in number should remove all the encroachments by themselves. Otherwise the authorities are directed to remove the same and recover the cost of such exercise from the encroachers.

7.With the above observations, these writ petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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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,
Dindigul District,
Dindigul.
2. The Tahsildar,
Oddanchatram Taluk,
Dindigul District.
3. The Block Development Officer,
(Village Panchayats),
Oddanchatram Panchayat Union,
Dindigul District.

+1 CC to M/s. SPL GP (SR-23489[F] dated 22/07/2021)

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RC (30.07.2021) 3P-5C