



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2021

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

WEB COPY

W.P. (MD)No.15002 of 2019

and

W.M.P. (MD)No.11504 of 2019

A.Muthuvel

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Block Development Officer,
Watirairuppu Union Office,
Virudhunagar District.

3.The Thasildar,
Watirairuppu,
Virudhunagar District.

4.The Secretary,
Ramasamiyapuram Panchayat,
Watirairuppu Union Office,
Virudhunagar District.

5.M.Mani S/o.Muthiah Thevar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment made by the 6th respondent in South North Street, Ramasamiyapuram Panchayat, Kanshapuram Village, Watirairuppu, Virudhunagar District and consequently direct the respondents to restrain the 6th respondent from constructing the commercial complex by considering the petitioner's representation dated 28.02.2019.

For Petitioner	:	Mr.M.Jerin Mathew
For Respondent Nos.1 & 3	:	Mr.K.P.Krishnadoss Special Government Pleader
For Respondent No.2	:	Mr.C.M.Mari Chellaiah Prabhu
For Respondent No.5	:	Mr.B.Rooban



ORDER

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

Though the petitioner has sought for a larger relief, the learned counsel for the petitioner submitted that the pending representation of the petitioner, dated 28.02.2019, may be directed to be considered by respondent Nos.2 and 3 as the case may be.

2.Learned counsel for respondent No.5 submitted that the application for regularisation made by respondent No.5 may also be considered by respondent No.2.

3.Considering the above, we direct respondent Nos.2 and 3 to consider the representation of the petitioner dated 28.02.2019, regarding removal of encroachment and regularisation request made by respondent No.5, after affording an opportunity of hearing to both the petitioner and respondent No.5 and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AS)

// 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,
Virudhunagar District,
Virudhunagar.

2.The Block Development Officer,
Watrairuppu Union Office,
Virudhunagar District.

3.The Thasildar,
Watrairuppu,
Virudhunagar District.

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



+1 CC to M/s.B.ROOBAN, Advocate (SR-13513[F] dated
25/03/2021)

+1 CC to M/s.SPL GP (SR-13567[F] dated
25/03/2021)

+1 CC to M/s.M.JERIN MATHEW, Advocate (SR-13607[F]
dated 25/03/2021)

W.P. (MD) No.15002 of 2019
24.03.2021

KMV(CO)
KB(09.04.2021) 3P 7C