



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2021

CORAM :

**THE HON'BLE MR.SANJIB BANERJEE, THE CHIEF JUSTICE
AND**

**The HON'BLE Mrs.JUSTICE S.ANANTHI
W.P.(MD) No.13008 of 2021**

WEB COPY

Muthusamy

.. Petitioner

Vs

1. The District Collector,
Sivagangai District.
2. The Tahsildar,
Illaiyankudi Taluk,
Sivagangai District.
3. The Block Development Officer,
Illayankudi Union,
Sivagangai District.
4. The Divisional Engineer,
Highways Department,
Office of the Highways Department,
Sivagangai, Sivagangai District.
5. The Assistant Executive Engineer,
Office of the Highways Department,
Illayankudi, Sivagangai District.

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus directing the respondents 2 to 5 to remove the encroachments in Survey No.350 to the total extent of 10.52.0 Hectares as classification of Salaikiramam Big Oorani & Five Circle Well and the petitioner's village Highways Road in Survey No.817 from junction of R.S.Mangalam to Mahalingam Temple and directing the respondents 2 to 5 to take suitable action against the all encroachments in SalaikiramamVillage streets and paths, Bus stand in equal before the law, on the basis of the petitioner's representation dated 07.07.2021.

For Petitioner : Mr.R.Udhayakumar

For respondents : Mr.R.Baskaran,
Government Advocate



ORDER

[Order of the Court was delivered by **S.ANANTHI, J.**]

We have heard Mr.R.Udhayakumar, learned Counsel appearing for the writ petitioner and Mr.R.Baskaran, learned Government Advocate appearing for the respondents.

2. The writ petitioner seeks a direction upon the respondents 2 to 5, to remove the encroachments made in Survey Nos.350 and 817, in Salaikiramam Village, Illaiyankudi Taluk, Sivagangai District.

3. The petitioner appears to have made a representation to the authorities, but he complains that no action has been taken in such regard.

4. Therefore, we direct the second respondent to inquire the matter and cause an inspection of the area and ascertain the full facts and proceed in accordance with law, after affording an opportunity to the petitioner and the persons in occupation.

5. Accordingly, W.P.(MD) No.13008 of 2021 stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

krk/pkn

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,
Sivagangai District.
2. The Tahsildar,
Illaiyankudi Taluk, Sivagangai District.
3. The Block Development Officer,
Illayankudi Union, Sivagangai District.



4. The Divisional Engineer,
Highways Department,
Office of the Highways Department,
Sivagangai, Sivagangai District.

5. The Assistant Executive Engineer,
Office of the Highways Department,
Illayankudi, Sivagangai District.

+1 CC to M/s.SPL GP (SR-24737[F] dated 30/07/2021)

W.P. (MD) No.13008 of 2021
29.07.2021

RD(5.08.2021) 3P 7C