



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2021

CORAM:

**THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
and
THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

W.P. (MD) No.15893 of 2021

P.Bharathi

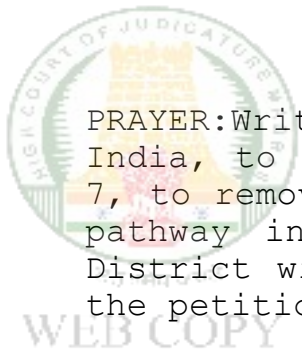
... Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Rep.by its Principal Secretary,
Home Department,
Secretariat, Chennai.
- 2.The District Collector,
Madurai District, Madurai.
- 3.The District Adi Dravidar and Schedule Tribe
Welfare Officer,
Collectorate, Madurai District,
Madurai.
- 4.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Melur at Narasingampatti,
Madurai District.
- 5.The Special Tahsildar, (Land Acquisition)
Adi Dravidar Welfare-Unit-2,
Madurai.
- 6.The Tahsildhar,
Melur Taluk,
Melur, Madurai District.
- 7.The Village Administrative Officer,
Melavalavu Village,
Melur Taluk, Madurai District.

8.Chellammal

... Respondents



PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 7, to remove the encroachment by the 8th respondent in the graveyard pathway in S.No.264/1A, Melavalavu Village, Melur Taluk, Madurai District within a time frame as fixed by this Court by considering the petitioner's representation dated 06.07.2021.

For petitioner : Mr.T.Villavankothai
For Respondents : Mr.P.Thilak Kumar,
(R1 to R7) Standing Counsel
For Respondents-8 : Mr.Sureshkumar,

O R D E R

(Order of the Court was made by V.BHARATHIDASAN, J.)

The grievance of the petitioner is that the petitioner using a pathway in S.No.264/1A, Melavalavu Village, Melur Taluk, Madurai District, to reach a cremation ground. Now, recently, the 8th respondent and some other people encroached the pathway and preventing the petitioner and others from using the pathway to carry the dead body. Hence, he made representations to various authorities and finally to the Tahsildar, Melur Taluk, Madurai District, the 6th respondent herein, on 06.07.2021. So far no action has been taken, the present writ petition has been filed.

2. We have heard the learned counsels appearing on either side and perused the materials available on record.

3. Considering the fact that the petitioner's representation is pending with the 6th respondent, without going into the merits of the case, the 6th respondent is directed to consider the petitioner's representation, dated 06.07.2021 and pass suitable orders on merits and in accordance with law, after hearing the petitioner, 8th respondent and other encroachers, within a period of eight weeks.

4. With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



MPK
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:

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Melur Taluk, Madurai District.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-28245[F] dated 06/09/2021)

+1 CC to M/s.SPL GP (SR-28345[F] dated 07/09/2021)

W.P. (MD) No.15893 of 2021
06.09.2021

KS (CO)
KB(24.09.2021) 3P 10C