



WEB COPY

W.P.(MD)No.19097 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2021

CORAM :

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

**The HON'BLE MR.JUSTICE M.DURAI SWAMY
W.P. (MD) No.19097 of 2021**

M.Devakumar

.. Petitioner

Vs

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Melur Block,
Othakadai,
Madurai District.

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

4.The President,
Therku Theru Village Panchayat,
Therku Theru,
Melur Taluk,
Madurai District.

..Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus to direct the respondents to remove the encroachments made on the public pathway in Gandhiji Street, Therku Theru Village and Post, Melur Taluk, Madurai District, by considering the proceedings dated 26.09.2020, of the second respondent within the time stipulated by this Court.

For Petitioner

: Mr.I.Robert Chandrakumar

For Respondents

: Mr.B.Saravanan

Government Advocate

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

The petitioner complains of encroachment on a public pathway in Gandhiji Street, Therku Theru Village of Melur Taluk in Madurai. The petitioner says that earlier representations have gone unheeded.



2.Mr.B.Saravanan, learned Government Advocate, takes notice on behalf of the respondents and submits that the third respondent-Tahsildar of Melur Taluk will be the appropriate authority to look into the matter.

3.Accordingly, W.P.(MD)No.19097 of 2021 is disposed of by permitting the petitioner to carry a fresh, detailed representation pertaining to the matters complained of herein to the third respondent-Tahsildar within a period of four weeks from date. Immediately upon receipt of the representation, the concerned Tahsildar will cause an inquiry to be conducted, upon notice to the petitioner and to all others likely to be affected by his order. The Tahsildar should complete the inquiry within a period of ten weeks of the receipt of the representation in terms of this order.

4.In the event the Tahsildar finds any encroachment as complained of, the Tahsildar will report the matter to the appropriate authorities to take immediate expeditious steps to remove the encroachments in accordance with law.

There will be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR/RM

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,
Madurai District,
Madurai.

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



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

4.The President,
Therku Theru Village Panchayat,
Therku Theru,
Melur Taluk,
Madurai District.

+1 CC to M/s.SPL.GP (SR-32841[F] dated 27/10/2021)

W.P. (MD) No.19097 of 2021
26.10.2021

SRK(CO)
KB(10.11.2021) 3P 6C