



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2021

CORAM:

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND**

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.20582 of 2021

P.Dharmar

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai - 625 020.

2.The Tahsildar,
Usilampatti Taluk,
Usilampatti,
Madurai District.

3.The Block Development Officer(Village Panchayat),
Usilampatti,
Madurai District.

4.The President,
Mekilarpatti Panchayat,
Mekilarpatti Post,
Usilampatti Panchayat Union,
Madurai District.

5.Alagarsamy,

6.Palani,

7.Thirumal,

8.Deivandiran

9.Pandi,

10.Selvi,

11.Vairapandi

12.Natarajan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 i.e., the District Collector, Madurai, the Tahsildar, Usilampatti Taluk, Madurai District and the Block Development Officer (Village Panchayat), Usilampatti, to carry out the eviction as already decided within a specified time frame and to take suitable action against the President, Mekilarpatti Panchayat for obstructing the eviction made already on 11.11.2021.



For Petitioner : Mr.S.Visvalingam
For R-1 to R-4 : Mr.M.Siddtharthan,
Additional Government Pleader

ORDER

(Order of the Court was made by
PUSHPA SATHYANARAYANA, J.)

This writ petition was filed by the petitioner seeking for issuance of a Mandamus directing the authorities to carry out the eviction as already decided within a specified period.

2. The petitioner had sent a representation to the Tahsildar, Usilampatti, to remove the encroachment made in the Natham road. The Tahsildar in proceedings Mu.Mu.No.4304/2020/B4, dated 24.06.2021, had addressed to the Block Development Officer, Usilampatti, who is the third respondent stating that pursuant to the representation of the writ petitioner, an inspection was conducted and it was found that there were encroachments on both sides of the road in Survey Nos.107/1-Natham Road, 137/1-road, 137/3 road and it was also stated that there will be a survey with respect to the above mentioned encroachments in the survey numbers mentioned supra. Thereafter, a survey was also conducted and number of encroachers were enlisted to be evicted. The Block Development Officer also sought for the protection of the police to remove the encroachments on 11.11.2021.

3. The matter was posted today for reporting compliance. When the matter is taken up today, the proceedings of the fourth respondent in Na.Ka.No.9/2021 Oo, dated 23.11.2021 was filed. As per which, it is stated that on 23.11.2021, the entire encroachments as found were removed and the photographs were also attached. As the encroachments were already removed, recording their compliance, the writ petition is closed. No Costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pm

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,
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Mekilarpatti Panchayat,
Mekilarpatti Post,
Usilampatti Panchayat Union,
Madurai District.

+1 CC to M/s.S. VISVALINGAM, Advocate (SR-35762[F] dated 24/11/2021)

+1 CC to M/s.SPL GP (SR-36056[F] dated 26/11/2021)

W.P(MD)No.20582 of 2021
24.11.2021

_RD(06.12.2021) 3P 7C