



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P(MD)No.22429 of 2021

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Adikan @ Adaikalam

... Petitioner

Vs.

- 1.The District Collector,
Pudukkottai District, Pudukkottai.
- 2.The Revenue Divisional Officer,
Illupur Taluk, Pudukkottai District.
- 3.The Thasildhar,
Illupur Taluk,
Pudukkottai District.
- 4.The Surveyor,
Illupur Taluk,
Pudukkottai District.
- 5.The Block Development Officer,
The Block Development Office,
Annavasal, Pudukkottai District.

6.Adikan

.. Respondents

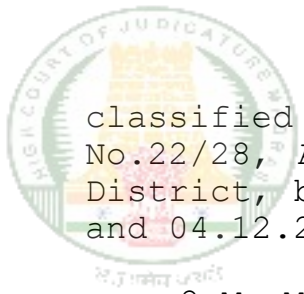
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st to 5th Respondent herein to remove the encroachment made by the 6th Respondent herein land classified as Public Pathway as per revenue records in Survey No.22/28, Anaipatti, Pinnangudi Village, Illupur Taluk, Pudukkottai District based on the Petitioner's representations dated 02.08.2021 and 04.12.2021.

For Petitioner	: Ms.A.Banumathy
For Respondent Nos.1	: Mr.P.Subbaraj
to 4	Special Government Pleader
For Respondent No.5	: Ms.Jeyapriya
	Standing Counsel

ORDER

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

The Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing Respondent Nos.1 to 5 herein to remove the encroachment made by the 6th Respondent herein on the land



classified as Public Pathway, as per revenue records in Survey No.22/28, Anaipatti, Pinnangudi Village, Illupur Taluk, Pudukkottai District, based on the Petitioner's representations dated 02.08.2021 and 04.12.2021.

2.Mr.M.P.Subbaraj, learned Special Government Pleader, accepts notice on behalf of respondent Nos.1 to 4 and Ms.Jeyapriya, learned Standing Counsel, accepts notice on behalf of respondent No.5. In view of the order, we propose to pass in this Writ Petition, protecting the interest of the sixth respondent also, notice to sixth respondent is dispensed with.

3.By consent of both sides, this Writ Petition itself is taken up for final disposal at the time of admission.

4.According to the learned counsel for the petitioner, the petitioner has submitted a representation, dated 04.12.2021, to the official respondents, but, the said representation is yet to be disposed of by the official respondents. However, the learned counsel submitted that it would suffice, if the representation, dated 04.12.2021, made by the petitioner is directed to be considered, on merits.

5.Mr.P.Subbaraj, learned Special Government Pleader appearing for respondent Nos.1 to 4, submitted that the third respondent may be directed to consider the petitioner's representation dated 04.12.2021 and pass orders in accordance with law.

6.Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, this Court directs the third respondent to consider the petitioner's representation, dated 04.12.2021, and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner and respondent No.6, within a period of six weeks from the date of receipt of a copy of this order.

7.The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

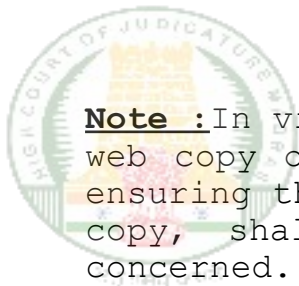
Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sj



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.

WEB COPY

To

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The Revenue Divisional Officer,
Illupur Taluk,
Pudukkottai District.
- 3.The Thasildhar,
Illupur Taluk,
Pudukkottai District.
- 4.The Surveyor,
Illupur Taluk,
Pudukkottai District.
- 5.The Block Development Officer,
The Block Development Office,
Annavasal,
Pudukkottai District.

+1 CC to M/s.SPL GP (SR-39472[F] dated 20/12/2021)

W.P(MD)No.22429 of 2021
17.12.2021

SAR (CO)

GC(31.12.2021) 3P 7C