



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P(MD)NO.23118 of 2017

S.Thangaraj

:Petitioner

.vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Revenue Divisional Officer,
Thiruppuvanam,
Sivagangai District.
- 3.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.
- 4.The Block Development Officer,
Thiruppuvanam Taluk,
Sivagangai District.
- 5.The Executive Officer,
Keeladi Grama Panchayat,
Thiruppuvanam Taluk,
Sivagangai District.
- 6.Ayyammal
- 7.Sundaram
- 8.Malaimaran

: Respondents

(Respondents 6 to 8 are impleaded as per order made in W.M.P(MD)No.2470 of 2018 in W.P(MD)No.23118 of 2017, dated 14.09.2021)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to remove the encroachments in the lands in S.Nos.174/10, 24, 25, 223 and 224/1,2 and 3 by considering the Petitioner's representation, dated 30.10.2017.

For Petitioner
For Respondents

:Mr.C.Mari Chelliah Prabu
:Mr.P.Thilakkumar
Government Pleader

1 to 5



O R D E R

[Order of the Court was made by **M.DURAISWAMY., J.**]

The Petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondents to remove the encroachments in the lands in S.Nos.174/10, 24, 25, 223 and 224/1,2 and 3 by considering the Petitioner's representation, dated 30.10.2017.

2.The Petitioner has filed the above Writ Petition as a 'Public Interest Litigation' to direct the respondents to remove the encroachments. Mrs.Siva Tharsana, learned counsel representing Mr.C.Mari Chelliah Prabu, learned counsel appearing for the Petitioner submitted that it would be suffice to direct the third respondent to consider the Petitioner's representation, dated 30.10.2017 and pass orders in accordance with law.

3.Mr.P.Thilakkumar, learned Government Pleader appearing for the respondents 1 to 5 submitted that the third respondent may be directed to consider the Petitioner's representation, dated 30.10.2017 and pass orders in accordance with law, after giving notice to all the alleged encroachers.

4.Having regard to the submissions made by the learned counsel appearing on either side, taking into consideration the limited prayer sought for by the Petitioner, without expressing any opinion on the merits of the case, we direct the third respondent to consider the Petitioner's representation, dated 30.10.2017 and pass orders on merits and in accordance with law, after giving notice to all the alleged encroachers within a period of 12 weeks from the date of receipt of a copy of this order.

5.With these observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Thiruppuvanam,
Sivagangai District.

3.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.

4.The Block Development Officer,
Thiruppuvanam Taluk,
Sivagangai District.

5.The Executive Officer,
Keeladi Grama Panchayat,
Thiruppuvanam Taluk,
Sivagangai District.

+1 CC to M/s.A.MOHAMED HANEEF, Advocate (SR-29142[F]
dated 15/09/2021)

+1 CC to M/s.SPL. GP (SR-29129[F] dated 15/09/2021)

ORDER MADE IN
W.P (MD) NO.23118 of 2017
14.09.2021

GC(01.10.2021) 3P 8C