



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

AND

THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.NO.6509 OF 2022

Josephine Charles

... Petitioner

vs

1. The District Collector,
Nagapattinam District.

2. The Tahsildar,
Keezhavelur,
Nagapattinam District.

3. The Executive Engineer,
Special Grade Town Panchayat,
Vellanganni, Nagapattinam District.

4. Veeramuthu

5. Mary

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to pass orders on the petitioner's representation dated 19.08.2021 within a stipulated period as fixed by this Court and further direct the respondents to remove the encroachments made in Survey No.16/7D to an extent of 0.02.00 ares at Sabastiar Nagar, Vellanganni, Nagapattinam District.

For Petitioner : Mr.S.Parthasarathy

For Respondents: Mr.A.Selvendran,
Special Government Pleader
for R1 and R2

Mr.V.Ravi,
Special Government Pleader for R3



ORDER

[Order of this Court was delivered by T.RAJA, J.]

The petitioner has come to this Court with this petition for issuance of writ of Mandamus directing the respondents to pass orders on his representation dated 19.08.2021 within a stipulated period as fixed by this Court and remove the encroachments made in Survey No.16/7D, measuring to an extent of 0.02.00 ares, situated at Sabastiar Nagar, Velanganni, Nagapattinam District.

2.Learned counsel appearing for the petitioner submitted that the petitioner is the owner of the property, covered in Survey No.16/3, measuring to an extent of 45 cents, situated at Sabastiar Nagar, Velanganni, Nagapattinam District. Learned counsel for the petitioner further submitted that since the representation dated 19.08.2021 given by the petitioner seeking a direction to the respondents to remove the encroachments made in the Survey No.16/7D, measuring to an extent of 0.02.00 ares, situated at Sabastiar Nagar, Velanganni, Nagapattinam District has not been considered, the petitioner is before this Court.

3.Learned Special Government Pleader appearing for the third respondent sought four weeks time to consider the petitioner's representation and pass appropriate orders.

4.Considering the limited relief sought for in this petition and without going into the merits of the matter, we hereby direct the Executive Engineer, Special Grade Town Panchayat, Vellanganni, Nagapattinam District/the third respondent herein to consider the representation dated 19.08.2021 made by the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after giving notice to the petitioner as well as the necessary parties.

5.It is made clear that if any encroachment is found as alleged by the petitioner, the same shall be removed in accordance with law.

6.With the above direction and the observation, this writ petition stands disposed of. No Costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

vga

Sub Assistant Registrar



To

1. The District Collector,
Nagapattinam District.
2. The Tahsildar,
Keezhavelur,
Nagapattinam District.
3. The Executive Engineer,
Special Grade Town Panchayat,
Vellanganni, Nagapattinam District.

+1cc to Mr.S.Parthasarathy, Advocate, S.R.No.19101
+1cc to the Special Government Pleader, S.R.No.19598

W.P.No.6509 of 2022

SKM(CO)
PM/07/04/2022