



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2022

CORAM :

THE HON'BLE MR. JUSTICE M.DURAI SWAMY  
AND  
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

W.P.No.9160 of 2022

N.Mani

.. Petitioner

Vs.

- 1.The District Collector,  
Namakkal District, Namakkal.
- 2.The Tahsildar,  
Senthamangalam Taluk,  
Namakkal District.
- 3.The Block Development Officer (BDO),  
Senthamangalam Region,  
Namakkal District.
- 4.The President,  
Muthakapatti Village Panchayat,  
Senthamangalam Taluk, Namakkal District.
- 5.Sivakumar
- 6.Selvakumar

.. Respondents

Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 2 & 3 to remove the encroachments in Survey Nos.433/41 & 433/42 situated at Muthakapatti Village & Post, Senthamangalam Taluk, Namakkal District based on the petitioner's representations dated 19.08.2021 & 02.12.2021.

For Petitioner : Mr.K.T.S.Sivakumar

For Respondents : Mr.P.Muthu Kumar,  
Government Pleader (R3 & R4)

Mr.A.Selvendran,  
Special Government Pleader (R1 & R2)



O R D E R  
(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus to direct the respondents 2 & 3 to remove the encroachments in Survey Nos.433/41 & 433/42 situated at Muthakkapatti Village & Post, Senthamangalam Taluk, Namakkal District based on the petitioner's representations dated 19.08.2021 & 02.12.2021.

2.The learned counsel for the petitioner submitted that though the petitioner has given his representation as early as on 19.08.2021 and 02.12.2021, the respondents 2 & 3 have not taken any steps to remove the encroachment so far.

3.Mr.A.Selvendran, learned Special Government Pleader taking notice for the respondents 1 & 2 and Mr.P.Muthu Kumar, learned Government Pleader taking notice for the respondents 3 & 4 submitted that the petitioner's representations would be considered by the 2<sup>nd</sup> respondent, in accordance with law, after giving notice to all the interested parties.

4.Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the learned counsel for the petitioner, without expressing any opinion with regard to the merits of the matter, we direct the 2<sup>nd</sup> respondent to consider the petitioner's representations dated 19.08.2021 & 02.12.2021 and pass orders, after giving notice to all the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-  
Assistant Registrar(CS-CCC)

//True copy//

Sub Assistant Registrar

va

To

1.The District Collector,  
Namakkal District, Namakkal.



2.The Tahsildar,  
Senthamangalam Taluk,  
Namakkal District.

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3.The Block Development Officer (BDO),  
Senthamangalam Region,  
Namakkal District.

4.The President,  
Muthalkapatti Village Panchayat,  
Senthamangalam Taluk, Namakkal District.

+1cc to Mr.K.T.S.Sivakumar, Advocate SR.No.25689

+1cc to Government Pleader SR.No.26162

W.P.No.9160 of 2022

RSV(CO)  
GMY(22/04/2022)