



WEB COPY



W.P.No.32863 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2022

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.32863 of 2022

S.Shanthi

.. Petitioner

VS

1. The District Collector
Villupuram District
Villupuram.

2. The Tahsildar
Thiruvannainallur
Villupuram District – 607 203.

3. Mari

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct respondents 1 and 2 to consider and dispose of the representation made by the petitioner on 5.8.2022 for requesting respondents 1 and 2 to take immediate action to remove the obstruction made by the third respondent, Mari, son of Murugesan, in the public road based upon the report of the Special Tahsildar, Adi Dravidar Welfare, within a stipulated time.



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For the Petitioner : Mr.A.Lakshmi Narasimhan

For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondents 1 and 2

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

This writ petition has been filed by the petitioner for issuance of a writ of mandamus directing respondents 1 and 2 to consider and dispose of the representation of the petitioner dated 5.8.2022 and to take action to remove the obstruction made by the third respondent in the public road.

2. The grievance of the petitioner is that the third respondent has illegally obstructed the public road by putting up a toilet with thatched house thereby causing nuisance to the inhabitants of the locality. Therefore, the petitioner has submitted a representation to the respondent authorities to remove the obstruction made by the third respondent. Pursuant to the representation made by the petitioner, an enquiry was conducted by the Tahsildar, who



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confirmed the encroachment made by the third respondent on the road in question. However, further action to remove the encroachment was not taken, which necessitated the petitioner to submit another representation dated 5.8.2022 to respondents 1 and 2. Despite receipt of the said representation, no action was taken by respondents 1 and 2 till date. Hence, the petitioner was advised to file the present writ petition.

3. At this stage, learned State Government Pleader, taking notice on behalf of respondents 1 and 2, submitted that pursuant to the report of the Special Tahsildar (ADW), Villupuram, further action to remove the encroachment made on the road in question will be taken within a period of four weeks.

4. Recording the submission made by learned State Government Pleader, the writ petition is disposed of with a direction to respondents 1 and 2 to survey and measure the road in question and thereafter, remove the encroachment made on the road, in accordance with law, within a period of four weeks from the date of



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receipt of a copy of this order, after notice to all concerned. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
08.12.2022

Index : Yes/No
bbr

To:

1. The District Collector
Villupuram District
Villupuram.
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