



WEB COPY



W.P.No.30411 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2022

CORAM

THE HONOURABLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.30411 of 2022

M.Subramani

.. Petitioner

Versus

1.The District Collector,
Collectorate,
Salem District – 637 101.

2.The Revenue Divisional Officer,
Salem Sub Division,
Salem District.

3.The Tahsildar,
Salem South Taluk,
Salem.

4.The Commissioner/the Block Development Officer,
(Village Panchayat),
Panamarathupatti Block,
Salem Taluk, Salem District.

5.V.Madhu

.. Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India seeking for issuance of a writ of mandamus directing the respondents 3 and 4 to remove the encroachment made by the fifth respondent in Murugan Kovil Street's common pathway (Government land), in comprising old survey No.52/2 Part, New Survey No.79/14, measuring 0.0089 meter, situated at Murugan Kovil Street, Thammanaickenpatti Village, Salem District.



WEB COPY



W.P.No.30411 of 2022

For Petitioner

: Mr.J.Agni Selvaraju

For R1 to R4

: Mr.P.Muthukumar, State Govt. Pleader

ORDER

(Order of the Court was delivered by The Hon'ble Acting Chief Justice)

The petitioner has filed this writ petition seeking for issuance of a writ of mandamus directing the respondents 3 and 4 to remove the encroachment put up by the fifth respondent in Murugan Kovil Street's common pathway (Government land), comprised in old survey No.52/2 Part, New Survey No.79/14, measuring 0.0089 meter, situated at Murugan Kovil Street, Thammanaickenpatti Village, Salem District.

2. Learned counsel for the petitioner drawing our notice to page No.21 of the typed set of papers submitted that the Tahsildar, Salem South, has already written a letter dated 08.07.2022 to the Commissioner (Village Panchayat), Panamarathupatti Block, Salem, requesting to remove the encroachment put up on the street as it comes under the jurisdiction of the fourth respondent.

3. Mr.P.Muthukumar, learned State Government Pleader, accepting notice for the respondents 1 to 4, sought four weeks time to remove the encroachment in accordance with law.

4. In view of the above, since the Tahsildar, Salem South, vide his letter dated



W.P.No.30411 of 2022

08.07.2022, has admitted that there is an encroachment in the street, the fourth respondent is directed to look into the grievance of the petitioner and remove the encroachment in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No Costs. With this direction, the writ petition stands disposed of. No Costs.

(T.R., ACJ.) (D.K.K., J.)
16.11.2022

rkm

To

- 1.The District Collector,
Collectorate,
Salem District – 637 101.
- 2.The Revenue Divisional Officer,
Salem Sub Division,
Salem District.
- 3.The Tahsildar,
Salem South Taluk,
Salem.
- 4.The Commissioner/the Block Development Officer,
(Village Panchayat),
Panamarathupatti Block,
Salem Taluk, Salem District.

THE HON'BLE ACTING CHIEF JUSTICE
and



WEB COPY



W.P.No.30411 of 2022

D.BHARATHA CHAKRAVARTHY, J.
rkm

W.P.No.30411 of 2022

16.11.2022