



W.P.(MD) No.273 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.273 of 2022

R.Muththamilselvan

... Petitioner

-Vs-

- 1.The District Collector,
O/o. The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Project Director,
O/o. The Project Director,
District Rural Development,
Ramanathapuram District,
Ramanathapuram.

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3.The District Revenue Officer,

O/o. The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

4.The Revenue Divisional Officer,

O/o. The Revenue Divisional Officer,
Ramanathapuram District,
Ramanathapuram.

5.The Tahsildar,

O/o. The Tahsildar,
Ramanathapuram District,
Ramanathapuram.

6.The Special Officer / Block Development Officer,

O/o. The Special Officer / Block Development Officer,
Surankottai Panchayat,
Ramanathapuram.

7.B.Prema

8.M.Vasu

... Respondents

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WEB CONTENT

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 6 to make correct entry in the Village Revenue Records and classify Survey No.270(5B), 270(2B), 270(2C) as “Public Road” situated at Periyakaruppan Nagar, Surankottai Group, Ramanathapuram District and consequently direct the respondents 1 to 6 to remove the encroachment made by the respondents 7 and 8 in that Public Road by considering the Petitioner's representation dated 15.05.2019 within the time stipulated by this Court.

For Petitioner	: Mr.T.Thirumurugan
For R1 to R5	: Mr.G.V.Vairam Santhosh Additional Government Pleader
For R6	: Mr.N.Muthu Vijayan
For R7 & R8	: Mr.H.Velavadhas

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to make correct entry in the Village Revenue Records and classify Survey Nos.270(5B), 270(2B), 270(2C) as “Public Road” situated at Periyakaruppan Nagar, Surankottai Group, Ramanathapuram District

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and consequently, to direct the respondents 1 to 6 to remove the encroachment made by the respondents 7 and 8 in that Public Road, by considering the petitioner's representation dated 15.05.2019 within a time frame.

2.Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 to 5 has produced the proceedings of the 6th respondent in Na.Ka.A3/734/2022, dated 21.02.2022, addressed to the 5th respondent, whereby, the 5th respondent has been directed to issue necessary direction to the Village Administrative Officer and the Surveyor concerned to conduct a survey in the place in question and to ascertain as to whether there is a public pathway in the said survey numbers.

3.Recording the aforesaid submission, this Writ Petition is disposed of, directing the authorities concerned to conduct a survey in the place in question in the presence of the petitioner, respondents 7 and 8 and other parties concerned, after serving due notice to them well in advance and ascertain as to whether there is any public pathway in the said survey numbers. If the survey



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reveals any public pathway, where there is any encroachment found to be made by the respondents 7 and 8, then the authorities concerned shall remove the same, after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] & [J.S.N.P., J.]

28.10.2022

Index : Yes / No

Internet : Yes / No

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To

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O/o. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Project Director,
O/o. The Project Director,
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Ramanathapuram District,
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AND

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