



W.P.(MD) No.1430 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

W.P.(MD) No.1430 of 2021

M.S.Kannan

... Petitioner

-vs-

1.The District Collector
Madurai District

2.The District Scheduled Caste &
Scheduled Tribe's Welfare Officer
Madurai

3.The Tahsildar
Thirumangalam Taluk
Madurai District

4.Sakkarai

5.Alagarsamy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 3 herein to remove the encroachment made by the respondents 4 and 5 in public pathway between



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S.Nos.155/4B4(Part) and 155/5A, situate in A.Kokkulam Village, Thirumangalam Taluk, Madurai District, by considering the petitioner's representations dated 09.09.2019 and 02.06.2020.

For Petitioner : Mr.J.Anandkumar

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R3
No appearance for R4
Mr.S.Mahendrapathy for R5

ORDER

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

The prayer in this writ petition is for issuance of a writ of mandamus directing the respondents 1 to 3 to remove the encroachment made by the respondents 4 and 5 in the public pathway between Survey Nos. 155/4B4(Part) and 155/5A of A.Kokkulam Village, Thirumangalam Taluk, Madurai District, based on the petitioner's representations dated 09.09.2019 and 02.06.2020.

2. The grievance of the petitioner is that though he made representations to the respondents 1 to 3 as early as on 09.09.2019 and 02.06.2020 seeking removal of the encroachment made by the private respondents in the subject land, till date the same has not been considered.



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3. The learned Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that the petitioner's representations dated 09.09.2019 and 02.06.2020 would be considered and appropriate action would be taken in accordance with law.

4. In view of the above, without going into the merits of the claim made by the petitioner, the respondents 1 to 3 are directed to consider the petitioner's representations dated 09.09.2019 and 02.06.2020 and pass appropriate orders, if not already disposed of, on merits and in accordance with law. If there is any encroachment as pointed out by the petitioner, the same shall be removed, after giving due notice to all the parties concerned and by following due process of law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

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

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Index : Yes / No
Internet : Yes / No

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