



W.P.(MD) No.1698 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.1698 of 2022
and
W.M.P.(MD) No.1497 of 2022**

R.Elavarasan

... Petitioner

-VS-

- 1.The Commissioner of Revenue Administration
O/o.The Commissioner of Revenue Administration
Chepauk, Chennai-5
- 2.The District Collector
Madurai District
Madurai
- 3.The District Adi Dravidar Welfare Officer
O/o.The District Adi Dravidar Welfare Officer
Collectorate Campus
Madurai District
- 4.The Revenue Divisional Officer
O/o.The Revenue Divisional Officer
Collectorate Campus
Madurai District



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5.The Special Tasildhar
(Adi Dravidar Welfare)
Adi Dravidar Welfare Unit I
Madurai District

6.The Tahsildhar
Vadipatti Taluk
Madurai District

7.A.Sahaya Selvaraj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 6 to remove the encroachment made by the seventh respondent in Car Track in S.No.284, 285, Oorseri Village, Vadipatti Taluk, Madurai District and lands in S.No.338, 337, 323, 321 in Athanur Village, Vadipatti Taluk, Madurai District and restore the Car Track and the pathway to access the schedule caste colony in S.No.26/1 and 26/4A, 26/4B, 26/4C to its original position, within a time frame.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.V.Nirmal Kumar
Government Advocate for R1 to R6
No appearance for R7



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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 6 to remove the encroachment made by the seventh respondent in the cart track in Survey Nos.284 & 285 of Oorseri Village and the lands in Survey Nos.338, 337, 323 & 321 of Athanur Village, Vadipatti Taluk, Madurai District and to restore the cart track to its original position to have access to the colony of the people belonging to scheduled caste community situated in survey Nos.26/1, 26/4A, 26/4B & 26/4C, within a time frame.

2. When the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 6, on instructions, submitted that out of six survey numbers, only in two survey numbers, the encroachments have been removed and the encroachments in the remaining four survey numbers would be removed, in accordance with law, forthwith.

3. The learned counsel for the petitioner has not refuted the above submission of the learned Government Advocate.



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4. In view of the above submission, the authority concerned is directed to remove the encroachments completely, after giving due notice and sufficient opportunity to all the parties concerned and by following due process of law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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

28.10.2022

Index : Yes / No

Internet : Yes / No

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To:

- 1.The Commissioner of Revenue Administration,
O/o.The Commissioner of Revenue Administration,
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- 2.The District Collector,
Madurai District,
Madurai.
- 3.The District Adi Dravidar Welfare Officer,
O/o.The District Adi Dravidar Welfare Officer,
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- 4.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Collectorate Campus,
Madurai District.
- 5.The Special Tasildhar,
(Adi Dravidar Welfare),
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