



W.P.(MD) No.1823 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.1823 of 2022

S.Jainul Haideen

... Petitioner

-vs-

1.The District Collector
Ramanathapuram District
Ramanathapuram

2.The Revenue Divisional Officer
Ramanathapuram
Ramanathapuram District

3.The Thasildar
Keelakarai Taluk
Keelakarai
Ramanathapuram District

4.The Municipal Commissioner
Keelakarai Municipality
Keelakarai
Ramanathapuram District

5.Rahamath Fasila

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 4 herein to remove the encroachments made by the fifth respondent on the public pathway situated in Survey Nos.324/2343/7 and 324/2334, N.M.T.(Naina Mohamed Thandayal) 1st Cross Street, Keelakarai, Ramanathapuram District, by considering the petitioner's representation dated 10.01.2022.

For Petitioner : Mr.T.Veerakumar

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R3
No appearance for R4 & 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 4 to remove the encroachments made by the fifth respondent in the public pathway in Survey Nos. 324/2343/7 and 324/2334, N.M.T.(Naina Mohamed Thandayal) 1st Cross Street, Keelakarai, Ramanathapuram District, based on the petitioner's representation dated 10.01.2022.



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2. Today, when the matter was taken up for hearing, the learned Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that there are some encroachments, as projected by the petitioner, in the subject street and the same would be removed, by due process of law, within a period of twelve weeks.

3. Recording the above submission of the learned Government Pleader, the authority concerned is directed to remove the encroachments made by the private respondent in the subject street, 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.

4. 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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