



W.P.(MD) No.2878 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.2878 of 2022

Satheesh

... Petitioner

-vs-

- 1.The District Collector
Office of the District Collector
Virudhunagar District
- 2.The Tahsildar
Sivakasi Taluk Office
Sivakasi, Virudhunagar District
- 3.The Block Development Officer
Sivakasi Village Panchayat Union
Sivakasi, Virudhunagar District
- 4.The President
Erichanatham Panchayat
Virudhunagar District
- 5.Kajakumar

... 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 at Kasa Broilers, No.2/172, Erichanatham Bus Stop, Nadayaneri, Erichanathan, Sivakasi Taluk, Virudhunagar District, on the basis of the petitioner's representation dated 08.03.2020, within a time frame.

For Petitioner : Mr.V.Selvakumar

For Respondents : Mr.N.GA.Nataraj
Government Advocate for R1 to R4
No appearance 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 4 to remove the encroachments made by the fifth respondent at Kasa Broilers, No.2/172, Erichanatham Bus Stop, Nadayaneri, Erichanathan, Sivakasi Taluk, Virudhunagar District, based on the petitioner's representation dated 08.03.2020, within a time frame.



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2. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 4, on instructions, submitted that based on the petitioner's representation, the authority concerned conducted a survey in the subject land and found that there are some encroachments, as projected by the petitioner and to that effect, he has also produced a copy of the proceedings of the Revenue Tahsildar, Sivakasi, in Mu.Mu.Aa1/2322/2021, dated 20.07.2021, wherein, the name of encroachers as well as the survey number, extent and the classification of encroachments have been described in detail. Further, the learned Government Advocate submitted that those encroachments would be removed, by due process of law, within a period of twelve weeks.

3. Recording the above submission of the learned Government Advocate, the authority concerned is directed to remove the encroachments as described in the proceedings of the Revenue Tahsildar, Sivakasi, dated 20.07.2021, 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.



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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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To:

- 1.The District Collector,
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Sivakasi Taluk Office,
Sivakasi, Virudhunagar District.
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