



W.P.(MD) No.2119 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.2119 of 2022

Karunakaran

... Petitioner

-vs-

- 1.The District Collector
Sivagangai District
- 2.The Tahsildar
Devakottai Taluk
Sivagangai District
- 3.The President
Thidakottai Village Panchayat
Devakottai Panchayat Union
Sivagangai District
- 4.The Executive Officer
Devakottai Panchayat Union
Devakottai, Sivagangai District
- 5.Venkatachalapathy

... 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 to remove the encroachment made by the fifth respondent in Survey No.207/10, situated at Pagayani Village, Pagayani Group, Devakottai Taluk, by considering the representation of the petitioner dated 12.12.2021.

For Petitioner : Mr.J.Anandkumar

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R4
Mr.N.S.Karthikeyan 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 encroachment made by the fifth respondent in Survey No.207/10 of Pagayani Village, Pagayani Group, Devakottai Taluk, based on the representation of the petitioner dated 12.12.2021.

2. Today, when the matter was taken up for hearing, the learned Special Government Pleader appearing for the respondents 1 to 4, on



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instructions, submitted that there is no encroachment made by the private respondent in the subject land, as projected by the petitioner and to that effect, he has also produced photographs of the subject area, before this Court.

3. The above submission of the learned Special Government Pleader is not refuted by the learned counsel for the petitioner.

4. Recording the above submission of the learned Special Government Pleader and granting liberty to the petitioner to approach the authority concerned, if any further encroachment is noticed, the writ petition is closed. 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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