



W.P.(MD)No.2180 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.11.2022

CORAM

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

W.P.(MD)No.2180 of 2022

Vaiyapuri

... Petitioner

Vs.

1. The District Collector,
Collectorate Campus, Dindigul,
Dindigul District.
2. The District Revenue Officer,
Collectorate Campus, Dindigul-624004.
3. The Revenue Divisional Officer,
Dindigul -624001, Dindigul District.
4. The Tahsildar,
Dindigul East Taluk, SIDCO Industrial Estate,
Natham Road, Dindigul,
Dindigul District-624003.
5. The Block Development Officer,
Sanarpatty Block, Panchayat Union Office,
Sanarpatty-624304, Dindigul District.
6. Dharmar

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing respondents 1 to 5 to remove the encroachment made by the sixth respondent and lay the concrete road in Natham survey No.367/1C and 367/2B in Rajakkapatty Revenue Village, Dindigul East Taluk, Dindigul District, based on the petitioner's representation dated 10.06.2019.

For Petitioner	: Mr.M.Seenisulthan
For Respondents	: Mr.G.V.Vairam Santhosh Additional Government Pleader for R1 to R4 Mr.M.Prakash for R5 Mr.H.Lakshmi Shankar for R6

ORDER

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a Writ of Mandamus, directing respondents 1 to 5 to remove the encroachment made by the sixth respondent and lay the concrete road in Natham Survey Nos.367/1C and 367/2B in Rajakkapatty Revenue Village, Dindigul East Taluk, Dindigul District, by considering his representation dated 10.06.2019.



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2. Heard Mr.M.Seenisulthan, learned counsel for the petitioner; Mr.G.V.Vairam Santhosh, learned Additional Government Pleader appearing for the respondents 1 to 4; Mr.M.Prakash, learned counsel appearing for the fifth respondent and Mr.H.Lakshmi Shankar, learned counsel for the sixth respondent.

3. Pointing out that the sixth respondent has encroached the public pathway in Natham Survey Nos.367/1C and 367/2B in Rajakkapatty Revenue Village, Dindigul East Taluk, Dindigul District, by erecting an iron fence and thereby preventing access to the public, the petitioner submitted a representation dated 10.06.2019, to the first respondent and the same, according to learned counsel for the petitioner, is unattended. Learned counsel for the petitioner would further submit that the petitioner would be satisfied if a direction is issued to the respondents 1 to 5, to consider the representation of the petitioner dated 10.06.2019, in accordance with law.

4. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the claim made by the petitioner, this Writ Petition is disposed of with a direction to the respondents 1 to 5, to consider the representation of the petitioner dated 10.06.2019, if not considered



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earlier and if there is any encroachment as claimed by the petitioner, appropriate action shall be taken for removal of the same, after affording sufficient opportunity to the petitioner, sixth respondent and all other parties concerned and also by due process of law within a period of eight weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.] [J.S.N.P., J.]
15.11.2022

Internet : Yes / No

Index : Yes / No

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