



W.P.(MD) No.3086 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2022

CORAM:

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

W.P.(MD) No.3086 of 2021

M.Ramdass

... Petitioner

-vs-

- 1.The District Collector
Thanjavur, Thanjavur District
- 2.The Commissioner
Kumbakonam Municipality
Kumbakonam, Thanjavur District
- 3.Kalyanasundaram
- 4.Shanmugam

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to remove the encroachment in S.No.2353, situated at Ward No.6, Kumbakonam Town, Kumbakonam, Thanjavur District, by considering and passing of appropriate orders on the representation dated 16.03.2020 of the petitioner, within a time frame.



W.P.(MD) No.3086 of 2021

WEB COPY

For Petitioner : Mr.N.R.Balaji

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1
Mr.M.Rajarajan for R2
Mr.H.Lakshmi Shankar for R3
Mr.R.Maheswaran for R4

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 official respondents to remove the encroachment made by the private respondents in Survey No.2353, situated at Ward No.6, Kumbakonam Town, Kumbakonam, Thanjavur District, by considering the petitioner's representation dated 16.03.2020, within a time frame.

2. The grievance of the petitioner is that though he made a representation to the respondents 1 and 2 as early as on 16.03.2020 seeking removal of the encroachment made by the private respondents in the aforesaid survey number, till date the same has not been considered.

3. The learned Government Pleader appearing for the first respondent, on instructions, submitted that the petitioner's representation



W.P.(MD) No.3086 of 2021

dated 16.03.2020 would be considered and appropriate action would be taken in accordance with law.

4. In view of the above, without going into the merits of the claim made by the petitioner, the respondents 1 and 2 are directed to consider the petitioner's representation dated 16.03.2020 and pass appropriate orders, if not already disposed of, on merits and in accordance with law. If there is any encroachment as pointed out by the petitioner, the same shall be removed, after giving due notice to all the parties concerned and by following due process of law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

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

26.10.2022

Index : Yes / No
Internet : Yes / No

krk



W.P.(MD) No.3086 of 2021

WEB COPY

To:
The District Collector
Thanjavur, Thanjavur District



WEB COPY



W.P.(MD) No.3086 of 2021

R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

krk

W.P.(MD) No.3086 of 2021

26.10.2022