



W.P.(MD)No.2894 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.10.2022

CORAM

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

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Muthu

... Petitioner

Vs.

1. The District Collector,
Sivagangai.

2. The Revenue Divisional Officer,
Sivagangai Dist.

3. The Tahsildar,
Thiruppuvanam Taluk, Sivagangai District.

4. The Village Administrative Officer,
Valleranthal Group,
Thiruppuvanam Taluk, Sivagangai District.

5. Pothumponnu

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 4 herein to remove the encroachment made by the fifth respondent in Survey No.349 to an extent of 1 Hectare and 4 Ares situated in Achankulam, Vallarenthal Group, Thiruppuvanam Taluk, Sivagangai District, based on his representation dated 22.11.2019, within a stipulated time.



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For Petitioner

: Mr.K.A.S.Prabhu

For Respondents

: Mr.P.Thilak Kumar
Government Pleader
for R1 to R4
No appearance for R5

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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 the respondents 1 to 4 to remove the encroachment made by the fifth respondent in Survey No.349, to an extent of 1 Hectare and 4 Ares, situated in Achankulam, Vallarenthal Group, Thiruppuvanam Taluk, Sivagangai District, based on his representation dated 22.11.2019, within a time frame.

2. Heard Mr.K.A.S.Prabhu, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 4.

3. Pointing out that the fifth respondent has encroached the Government poramboke land in Survey No.349 in Achankulam, Vallarenthal Group, Thiruppuvanam Taluk, Sivagangai District, by constructing two houses



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illegally, the petitioner submitted a representation dated 22.11.2019, to the respondents 1 to 4, which according to the 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 second respondent to consider and dispose of his representation dated 22.11.2019, on merits and 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 4, to consider the representation of the petitioner dated 22.11.2019, if not considered 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, fifth 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.]
20.10.2022

Internet : Yes / No
Index : Yes / No
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