



W.P(MD) No.3908 of 2022

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**

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K.Thirumalai Jayapal Muthu

... Petitioner

-VS-

1. The District Collector,
Theni District, Theni.

2. The Revenue Divisional Officer,
Uthamapalayam, Theni District.

3. The Tahsildar,
Uthamapalayam Taluk, Uthamapalayam,
Theni District.

4. The Executive Officer,
Kuchanoor Town Panchayat , Kuchanoor ,
Uthamapalayam Taluk, Theni District.

5. P.Sivakumar

... Respondents

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 5th respondent in Survey Nos.543 (Part) , Kuchanoor Village , Uthamapalayam Taluk, Theni District and consider the Petitioner's representation dated 07.02.2022, within the time frame



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that may be stipulated by this Hon'ble Court.

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For Petitioner : Mr.K.Guhan

For Respondent : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
for R1 to R4
Mr.S.Ashok for R5

ORDER

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

This Writ Petition has been filed 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.543 (Part), Kuchanoor Village, Uthamapalayam Taluk, Theni District by considering the Petitioner's representation dated 07.02.2022, within a time frame.

2. Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 to 4 submitted that the representation of the petitioner dated 07.02.2022, would be considered and appropriate action would be taken for the removal of the encroachment, if any, as alleged by the petitioner, by due process of law, within a time frame, for which, the learned counsel for the petitioner is agreeable.



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3. Recording the aforesaid submission, this writ petition is disposed of directing the respondents 1 to 4 to consider and dispose of the petitioner's representation dated 07.02.2022. If there is any encroachments in the place in question, the same shall be removed after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed 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.]
28.10.2022

Index : Yes / No
Internet : Yes / No
pkn

To:

1. The District Collector,
Theni District, Theni.
2. The Revenue Divisional Officer,
Uthamapalayam, Theni District.
3. The Tahsildar,
Uthamapalayam Taluk, Uthamapalayam,
Theni District.
4. The Executive Officer,
Kuchanoor Town Panchayat , Kuchanoor ,
Uthamapalayam Taluk, Theni District.



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and
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