



**W.P.(MD) No.5721 of 2020**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 09.11.2022**

**CORAM:**

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN**

**and**

**THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

**W.P.(MD) No.5721 of 2020**

M.Shanmuganathan

... Petitioner

**Vs.**

- 1.The District Collector,  
Dindigul District,  
Dindigul.
- 2.The Tahsildar,  
Dindigul Taluk,  
Dindigul.
- 3.The Block Development Officer,  
Dindigul Taluk,  
Dindigul.
- 4.The Chettinaickanpatty Village  
Panchayat Union,  
Rep. by its President,  
Chettinaickanpatty,



**W.P.(MD) No.5721 of 2020**

WEB CO  
Dindigul Taluk,  
Dindigul District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove all the encroachment made by the 4<sup>th</sup> respondent and others in Drainage line situated in S.No. 680 A/6, 678/3, Rajappa Nagar, Nagappa Nagar, Raj Nagar, Chinniahpuram and M.V.M.Nagar at Chettinaickanpatty Village, Dindigul Taluk, Dindigul District and consequent thereon restore the same by considering the petitioner's written representation dated 10.02.2020.

For Petitioner : Mr.A.Chandrakumar

For Respondents : Mr.P.Thilak Kumar,  
Government Pleader for R1 & R2  
Mr.Aayiram K.Selvakumar,  
for R3 & R4

### **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 3 to remove all the encroachment made by the 4<sup>th</sup> respondent and others in Drainage line situated in S.No. 680 A/6, 678/3, Rajappa



**W.P.(MD) No.5721 of 2020**

WEB COPY

Nagar, Nagappa Nagr, Raj Nagar, Chinniahpuram and M.V.M.Nagar at Chettinaickanpatty Village, Dindigul Taluk, Dindigul District, by considering the petitioner's representation dated 10.02.2020.

2. It is the claim of the petitioner that though the fourth respondent is a proper person to take appropriate action for removal of encroachment made in the drainage line, he himself made an encroachment by putting up a culvert in the midst of drainage line and making hindrance to the public and in this regard, though the petitioner made a representation on 10.02.2020 to the first respondent seeking to remove the said encroachment, till date, no steps have been taken to remove the same. Hence, the petitioner has filed this Writ Petition.

3. The learned Government Pleader appearing for the respondents 1 and 2 submitted that the representation of the petitioner dated 10.02.2020 would be considered by the official respondents and appropriate action will be taken to remove the encroachment, if any, for which, the learned counsel for the petitioner is agreeable.



**W.P.(MD) No.5721 of 2020**

WEB COPY

4. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to consider and dispose of the representation of the petitioner dated 10.02.2020, on merits and in accordance with law. If there is any encroachment as alleged by the petitioner, the authorities concerned shall remove the same 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 (8) weeks from the date of receipt of a copy of this order. No costs.

**[R.M.D., J.]      [J.S.N.P., J.]**

vsm

**09.11.2022**



**W.P.(MD) No.5721 of 2020**

WEB COPY

To

- 1.The District Collector,  
Dindigul District,  
Dindigul.
- 2.The Tahsildar,  
Dindigul Taluk,  
Dindigul.
- 3.The Block Development Officer,  
Dindigul Taluk,  
Dindigul.
- 4.The President,  
Chettinaickanpatty Village  
Panchayat Union,  
Chettinaickanpatty,  
Dindigul Taluk,  
Dindigul District.

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



WEB COPY



**W.P.(MD) No.5721 of 2020**

vsm

**W.P.(MD) No.5721 of 2020**

**09.11.2022**