



WEB COPY

W.P.[MD]No.12127 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.[MD]No.12127 of 2022

M.Chellappan

: Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Melur Taluk, Madurai District.

3.The Block Development Officer,
Melur Panchayat Union,
Melur Taluk, Madurai District.

4.The Executive Officer,
Therkkutheru Panchayat,
Therkkutheru Post,
Melur Taluk, Madurai District.

5.The President,
Therkkutheru Panchayat,
Melur Taluk,
Madurai District.

6.V.Senthil

7.P.Sagadevan

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 5 to remove the illegal encroachment made by the respondents 6 and 7 in the Panchayath road in S.No.816, Therkkutheru Village (Post), Melur Taluk, Madurai District and further directing the official respondents to restore the drainage canal in Gandhiji Street, Therkkutheru Village (Post), Melur Taluk, Madurai District.

For Petitioner : Mr.B.Vinoth Kumar

For Respondents 1 & 2 : Mr.J.Ashok
Additional Government Pleader

For Respondents 3 to 5 : Mr.T.Amjad Khan
Government Advocate



O R D E R

[Order of the Court was made by **P.N.PRAKASH, J.**]

Alleging that respondents 6 and 7 have made encroachments in S.No.816, Therkkutheru Village, Melur Taluk, Madurai District, this writ petition has been filed for a direction to the respondents 1 to 5 to remove the same.

2.Heard Mr.B.Vinoth Kumar, learned Counsel appearing for the writ petitioner, Mr.J.Ashok, learned Additional Government Pleader who accepts notice on behalf of the first and second respondents and Mr.T.Amjad Khan, learned Government Advocate who accepts notice on behalf of the respondents 3 to 5.

3.Learned Counsel for the petitioner places before this Court a communication dated 23.03.2022 sent by the Block Development Officer, Melur Panchayat Union, Melur to the President, Therkkutheru Panchayat [R5] forwarding the representation dated 11.03.2022 that was given by the petitioner with a further direction to enquire into the same and take appropriate action.

4.In such view of the matter, we direct the fifth respondent to comply with the directions issued by the Block Development Officer in the letter dated 23.03.2022 by conducting an enquiry, finding out if there are any encroachments as alleged by the petitioner, if it is found that there are encroachments, the same shall be removed in accordance with law, within a period of three [3] months from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

MR

To:

1.The District Collector,
Madurai District,
Madurai.



2.The Tahsildar,
Melur Taluk,
Madurai District.

3.The Block Development Officer,
Melur Panchayat Union,
Melur Taluk,
Madurai District.

4.The Executive Officer,
Therkkutheru Panchayat,
Therkkutheru Post,
Melur Taluk,
Madurai District.

5.The President,
Therkkutheru Panchayat,
Melur Taluk,
Madurai District.

6.V.Senthil,
S/o. Late Veeranan,
2/140 Gandhiji Street,
Therkkutheru Post,
Melur Taluk, Madurai District.

7.P.Sagadevan,
S/o. Late Palanichamy,
No.2/139, Gandhiji Street,
Therkkutheru Post,
Melur Taluk, Madurai District.

+1 CC to M/s.SPL.GP (SR-26785[F] dated 20/06/2022)

+1 CC to M/s.B. VINOTH KUMAR, Advocate (SR-26886[F] dated
20/06/2022)

W.P. [MD]No.12127 of 2022
17.06.2022

_RD(28.06.2022) 3P 10C