



W.P.(MD) No.9777 of 2022

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

**DATED : 14.11.2022**

**CORAM:**

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

**W.P.(MD) No.9777 of 2022**

K.Ramamoorthy

... Petitioner

-vs-

1.The District Collector  
Virudhunagar District  
Virudhunagar

2.The Tahsildar  
Virudhunagar Taluk  
Virudhunagar District

3.The Block Development Officer  
Virudhunagar Panchayat Union  
Virudhunagar District

4.The President  
Vatchakarapatti Village Panchayat  
Virudhunagar District

5.The Superintendent of Police  
Virudhunagar  
Virudhunagar District

6.The Inspector of Police  
Vatchakarapatti Police Station  
Virudhunagar District

... Respondents



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**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 the encroachment made by the fourth respondent in the common pathway comprised in Survey No.156 at Vatchakarapatti Village, Virudhunagar Taluk & District, by considering the petitioner's representations dated 13.05.2019, 13.12.2021, 02.05.2022 and 03.05.2022.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.P.Thilakkumar  
Government Pleader for R1 to R4  
Mr.T.Senthil Kumar  
Additional Public Prosecutor for R5 & R6

### **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 respondents 1 to 3 to remove the encroachment made by the fourth respondent in the common pathway in Survey No.156 of Vatchakarapatti Village, Virudhunagar Taluk & District, based on the petitioner's representations dated 13.05.2019, 13.12.2021, 02.05.2022 and 03.05.2022.



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**2.** Today, when the matter was taken up for hearing, the learned Government Pleader appearing for the respondents 1 to 4, on instructions, submitted that there are some encroachments, as projected by the petitioner, in the subject pathway and the same would be removed, by due process of law, within a period of twelve weeks.

**3.** Recording the above submission of the learned Government Pleader, the authority concerned is directed to remove the encroachments made in the subject pathway, after giving due notice and sufficient opportunity to all the parties concerned and by following due process of law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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

**[R.M.D., J.]      [J.S.N.P., J.]**

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

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