



W.P.(MD) No.9730 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.9730 of 2022

Narayanan

... Petitioner

-vs-

1.The District Collector
Trichy District
Trichy

2.The Tahsildar
Manapparai Taluk
Manapparai
Trichy District

3.The Block Development Officer
Manapparai Panchayat Union
Manapparai
Trichy District

4.The President
Ponnambalampatti Village Panchayat
Manapparai Taluk
Trichy District

5.Ramachandran

... 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 4 herein to remove the encroachment made by the fifth respondent in S.No.8/11 and 8/13, situated at Ponnambalampatti Village Panchayat, Manapparai Taluk, Trichy District, based on the representation of the petitioner dated 14.02.2022 and to the respondents 1 to 4 herein, within a time frame.

For Petitioner : Mr.B.Prahalad Radi

For Respondents : Mr.V.Nirmal Kumar
Government Advocate for R1 to R4
Mr.H.Mohamed Imran
for M/s.Ajmal Associates for R5

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 4 to remove the encroachment made by the fifth respondent in Survey Nos.8/11 and 8/13 of Ponnambalampatti Village Panchayat, Manapparai Taluk, Trichy District, based on the petitioner's representation dated 14.02.2022.



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2. The grievance of the petitioner is that though he made a representation to the respondents 1 to 4 as early as on 14.02.2022 seeking removal of the encroachment made by the fifth respondent in the aforesaid survey numbers, till date the same has not been considered.

3. The learned Government Advocate appearing for the respondents 1 to 4, on instructions, submitted that the petitioner's representation dated 14.02.2022 would be considered and appropriate action would be taken, in accordance with law.

4. In view of the above, without going into the merits of the claim made by the petitioner, the respondents 1 to 4 are directed to consider the petitioner's representation dated 14.02.2022 and pass appropriate orders, if not already disposed of, on merits and in accordance with law. If there is any encroachment as pointed out by the petitioner, the same shall be removed, after giving due notice and sufficient opportunity to all the parties concerned and by following due process of law, within a period of eight (8) weeks from the date of receipt of a copy of this order.



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

[R.M.D., J.] [J.S.N.P., J.]

14.11.2022

Index : Yes / No

Internet : Yes / No

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To:

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The Tahsildar,
Manapparai Taluk,
Manapparai,
Trichy District.
- 3.The Block Development Officer,
Manapparai Panchayat Union,
Manapparai,
Trichy District.
- 4.The President,
Ponnambalampatti Village Panchayat,
Manapparai Taluk,
Trichy District.



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and
J.SATHYA NARAYANA PRASAD, J.

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