



W.P.(MD)No.14625 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.10.2022

CORAM

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

W.P.(MD)No.14625 of 2021

M.Muniasamy

... Petitioner

Vs.

1.The District Collector,
O/o. District Collector,
Madurai District, Madurai.

2.The Tahsildar,
South Tahsildar Office,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to remove the encroachments from the Government land bearing Survey Nos.325/1 and 326/1 situated at Avaniapuram Village, West Taluk, Madurai District, which is traditionally used as crematorium for Adhidravidar community by considering the petitioner's representation dated 27.04.2021.

For Petitioner : Mr.A.Rajini

For Respondents : Mr.S.P.Maharajan
Special Government Pleader
for R1 and R2



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ORDER

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

The petitioner has come forward with this writ petition praying to issue a Writ of Mandamus, directing the respondents to remove the encroachments from the Government land in Survey Nos.325/1 and 326/1, at Avaniapuram Village, West Taluk, Madurai District, which is traditionally used as crematorium for Adhidravidar community, by considering his representation dated 27.04.2021.

2. Heard Ms.A.Rajini, learned counsel for the petitioner and Mr.S.P.Maharajan, learned Additional Government Pleader appearing for the respondents 1 and 2.

3. Pointing out that some encroachments were made in the aforesaid land, which is used as a crematorium by the Adidravidar community people of Avaniyapuram, the petitioner submitted a representation to the second respondent on 27.04.2021 and the same, according to learned counsel for the petitioner, is unattended. Learned counsel for the petitioner would further



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submit that the petitioner would be satisfied if a direction is issued to the respondents, to consider his representation dated 27.04.2021, in accordance with law, within a time frame.

4. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the claim made by the petitioner, this Writ Petition is disposed of with a direction to the respondents, to consider the representation of the petitioner dated 27.04.2021, if not considered earlier and if there is any encroachment as claimed by the petitioner, appropriate action shall be taken for removal of the same, after affording due opportunity of hearing to the petitioner as well as all other parties concerned and also by due process of law 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.]
27.10.2022

Internet : Yes / No
Index : Yes / No
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