



W.P.(MD) No.13260 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.13260 of 2019

N.Kalaiselvi

... Petitioner

Vs.

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The Tahsildar,
Srirangam Taluk,
Trichy District.
- 3.The Assistant Executive Engineer,
Public Works Department,
Srirangam Sub Division,
Trichy District.
- 4.The Block Development Officer,
Andanallur Panchayat Union,



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Srirangam Taluk,
Trichy District.

5.The Secretary,
Malliyampathu Village Panchayath,
Srirangam Taluk,
Trichy District.

6.Malliga ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to take appropriate steps to remove the encroachments made by the 6th respondent in the pathway and water channel situated abutting to survey No.50 and 41 in Malliyapathu Village, Srirangam Taluk, Trichy District.

For Petitioner : Mr.Karthikeya Venkitachalapathy

For Respondents : Mr.S.P.Maharajan,
Spl. Govt. Pleader for R1 to R4

Mr.N.R.Murugesan for R6

No Appearance for R5



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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 5 to take appropriate steps to remove the encroachments made by the 6th respondent in the pathway and water channel, situated abutting to survey Nos.50 and 41 in Malliyapathu Village, Srirangam Taluk, Trichy District.

2. It is the claim of the petitioner that the 6th respondent has made the aforesaid encroachment in the place in question and in this regard, though the petitioner made a representation on 22.04.2019 to the respondents seeking to remove the aforesaid encroachment, till date, no steps have been taken by the respondents to remove the said encroachment. Hence, the petitioner has filed this Writ Petition.



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3. The learned Special Government Pleader appearing for the respondents 1 to 4 submitted that the representation of the petitioner dated 22.04.2019 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.

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 22.04.2019, on merits and in accordance with law. If there is any encroachment in the place in question, the authorities 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 twelve (12) weeks from the date of receipt of a copy of this order. No costs.

[R.M.D., J.]

[J.S.N.P., J.]



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and
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vsm

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