



W.P.(MD) No.14945 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2022

CORAM:

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

W.P.(MD) No.14945 of 2019

Pattathurai

... Petitioner

-VS-

- 1.The District Collector
Office of the District Collector
Thoothukudi
- 2.The Tahsildar
Office of the Taluk Office
Eral Taluk Office
Eral, Thoothukudi District
- 3.The Head Surveyor
Office of the Head Surveyor
District Collectorate
Thoothukudi
- 4.Lakshmi Ammal
- 5.Murugesan
- 6.Patturaj



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7.Ramesh

8.Arulraj

... Respondents

[R4 to R8 are impleaded vide Court
Order dated 24.07.2019 in W.M.P.
(MD) No.11825 of 2019]

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 3 herein to take immediate action for removal of the illegal encroachments made in old Survey No.53, new Survey No.677/27, situated at Thiruvalluvar Street, Umarikadu, Korkai Village, Eral Taluk, Thoothukudi District, on the basis of the petitioner's representation dated 09.05.2019, within the time stipulated by this Court.

For Petitioner : Mr.Mandhiralingeswaran

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 to R3
Mr.S.Santha Suresh for R6
No appearance for R4, R5, R7 & R8

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 take immediate action for



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removal of the illegal encroachments made in old Survey No.53, new Survey No.677/27, at Thiruvalluvar Street, Umarikadu, Korkai Village, Eral Taluk, Thoothukudi District, based on the petitioner's representation dated 09.05.2019, within the time stipulated by this Court.

2. The grievance of the petitioner is that though he made a representation to the respondents 1 to 3 as early as on 09.05.2019 seeking removal of the encroachments in the aforesaid survey number, till date, the same has not been considered.

3. The learned Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that the petitioner's representation dated 09.05.2019 would be considered in the manner known to law and appropriate action will be taken.

4. In view of the above, without going into the merits of the claim made by the petitioner, the authority concerned is directed to consider the petitioner's representation dated 09.05.2019 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,



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after giving due notice 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.

5. 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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Index : Yes / No

Internet : Yes / No

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To:

- 1.The District Collector,
Office of the District Collector,
Thoothukudi.
- 2.The Tahsildar,
Office of the Taluk Office,
Eral Taluk Office,
Eral, Thoothukudi District.
- 3.The Head Surveyor,
Office of the Head Surveyor,
District Collectorate,
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