



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.[MD]No.11875 of 2022
and
W.M.P.[MD]No.8438 of 2022

K.Sivalingam

: Petitioner

Vs.

- 1.The District Collector,
Office of the Collectorate,
Madurai.
- 2.The Superintending Engineer,
Public Works Department,
Water Resources Organisation,
Near Old Central Market,
Madurai.
- 3.The Executive Engineer,
Public Works Department,
Melur, Madurai District.
- 4.The Tahsildar,
Taluk Office,
Melur,
Madurai District.

5.Jeevanandham

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachments made by the fifth respondent, his men or agents by constructing at Oadai at S.No.69/1 at Vannampaaraipatti Village, near Meenatchipuram Village, Melur Taluk.

For Petitioner : Ms.Porkodi Karnan
for M/s.Polex Legal Solutions
For Respondents 1 to 4 : Mr.D.Sadiq Raja
Additional Government Pleader



O R D E R

[Order of the Court was made by **P.N.PRAKASH, J.**]

It is the case of the petitioner that the fifth respondent has encroached in Survey No.69/1 in Vannaampaaraipatti Village, Melur Taluk, Madurai District, which has been classified as "Odai" and therefore, a direction should be issued to the respondents 1 to 4 to remove the said encroachments.

2. Heard Ms.Porkodi Karnan, learned Counsel appearing for the petitioner and Mr.D.Sadiq Raja, who accepts notice on behalf of the respondents 1 to 4.

3. The petitioner has not placed any credible materials before this Court to show that the fifth respondent has encroached into the said Odai. However, we direct the fourth respondent to first find out as to whether S.No.69/1 at Vannaampaaraipatti Village, Melur Taluk, Madurai District has been classified as "Odai" and if it is so, the fourth respondent may also find out if the fifth respondent has encroached upon the said Odai. If there is any encroachment by the fifth respondent, it is needless to state that the fourth respondent shall take appropriate action for removal of the same, in accordance with law.

4. With the above direction, this Writ Petition stands closed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (C.O)

// True Copy //

/06/2022

Sub Assistant Registrar (CS)

MR

To

1.The District Collector,
Office of the Collectorate,
Madurai.

2.The Superintending Engineer,
Public Works Department,
Water Resources Organisation,
Near Old Central Market,
Madurai.



3.The Executive Engineer,
Public Works Department,
Melur, Madurai District.

4.The Tahsildar,
Taluk Office,
Melur, Madurai District.

+1 CC to M/s.POLAX LEGAL SOLUTIONS, Advocate (SR-25892[F] dated 15/06/2022)

+1 CC to M/s.SPL.GP (SR-26142[F] dated 16/06/2022)

ORDER MADE IN
W.P.[MD]No.11875 of 2022
15.06.2022

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