



W.P(MD)No.12673 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.10.2022

CORAM:

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

W.P(MD)No.12673 of 2021

Solaiyammal

... Petitioner

VS.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thirumangalam,
Madurai District.
- 3.The Tahsildar,
Thirupparankundram Taluk,
Madurai District.

4.Vel

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the fourth respondent in public pathway in S.F.No.97/3 which is situated at Kombadi Village, Valayappatti, Thirupparankundram Taluk, Madurai District on the basis of the petitioner's representation dated 05.07.2021 within a time frame fixed by this Court.

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For Petitioner : Mr.K.Arunraj
For RR 1 to 3 : Mr.S.P.Maharajan
Special Government Pleader
For R – 4 : No appearance

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 remove the encroachment made by the fourth respondent in public pathway in S.F.No.97/3, which is situated at Kombadi Village, Valayappatti, Thirupparankundram Taluk, Madurai District, on the basis of the petitioner's representation dated 05.07.2021, within a time frame.

2. Today, when the matter was taken up for hearing, the learned Special Government Pleader appearing for the respondents 1 to 3 has produced a communication of the third respondent / the Tahsildar in Na.Ka.No.4003/2020/C, dated Nil .10.2022 and submitted that the authorities concerned are going to conduct a survey of the place in question on 01.11.2022 at 11.00 a.m., and after survey, appropriate action for



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removal of encroachment, if any, will be taken by due process of law, within a time frame.

3. Recording the aforesaid submission of the learned Special Government Pleader, the authorities concerned are directed to conduct survey as scheduled on 01.11.2022 and if the survey revealed encroachment as claimed by the petitioner, the same shall be removed, after affording sufficient opportunity of personal hearing 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.

4. With the above direction, this Writ Petition is disposed of. No costs.

Index : Yes / No
Internet : Yes
ps

[R.M.D.,J.] [J.S.N.P.,J.]
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R.MAHADEVAN,J.
and
J.SATHYA NARAYANA PRASAD,J.

ps

ORDER MADE IN
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DATED : 26.10.2022