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W.P.[MD]N



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.[MD]No.12270 of 2022

and

W.M.P.[MD]No.8719 of 2022

Rajamanickam

: Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Revenue Divisional Office Campus,
Aruppukottai,
Virudhunagar District.

3.The Tahsildar,
Kariyapatti,
Virudhunagar District.

4.The Block Development Officer,
Kariyapatti,
Virudhunagar District.

5.The Village Administrative Officer,
Allalaperi Village,
Kariyapatti,
Virudhunagar District.

6.Chandrasekar

: 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 encroachment made by the sixth respondent in the public road comprised in Survey No.249/1 situated at Allalaperi Village, Kariyapatti Taluk, Virudhunagar District to an extent of approximately 7 feet forthwith by considering the petitioner's representation dated 07.05.2022 within a time frame as stipulated by this Court.

For Petitioner

: Mr.J.Sankara Pandian

For Respondents 1 to 3, 5

: Mr.N.Satheesh Kumar

Additional Government Pleader

For Respondent No.4

: Mr.S.P.Maharajan

Special Government Pleader



O R D E R

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

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Alleging that the sixth respondent has made encroachments into S.No.249/1, by extending his house into a public road, the present writ petition has been filed for a direction to the respondents to remove the same.

2.Heard Mr.J.Sankara Pandian, learned Counsel appearing for the writ petitioner, Mr.N.Satheesh Kumar, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 3 & 5 and Mr.S.P.Maharajan, learned Special Government Pleader who accepts notice on behalf of the fourth respondent.

3.The petitioner has not placed any satisfactory materials before us to show that the sixth respondent has indeed made such encroachments.

4.Be that as it may, the land in question namely, the house of the sixth respondent and S.No.249/1 in Allalaperi Village, falls within the jurisdiction of Kariyapatti Taluk. Therefore, it is open to the petitioner to give a representation to the President, Allalaperi Village Panchayat with regard to the alleged encroachments that is said to have been made by the sixth respondent and on such representation being given, the President, **(*)Allalaperi Village** Panchayat shall enquire into the same and if the sixth respondent has indeed made encroachments, it is needless to state that steps should be taken for removal of the same in accordance with law.

5.Accordingly, this Writ Petition is closed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS II)

(*) Corrected as per the order of this Court dated 02/08/2022.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)



To be substituted to the order already despatched on 08/07/2022.

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- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office Campus,
Aruppukottai,
Virudhunagar District.
- 3.The Tahsildar,
Kariyapatti,
Virudhunagar District.
- 4.The Block Development Officer,
Kariyapatti,
Virudhunagar District.
- 5.The Village Administrative Officer,
Allalaperi Village,
Kariyapatti, Virudhunagar District.
- 6.The President,
Allalaperi Village Panchayat,
Virudhunagar District.

+1 CC to M/s.J. SNKARA PANDIAN, Advocate (SR-26601[F] dated 17/06/2022)

+1 CC to M/s.SPL.GP (SR-26762[F] dated 20/06/2022)

ORDER MADE IN
W.P. [MD] No.12270 of 2022
17.06.2022

_SS(27/06/2022) 3P 9C
_SS(16/08/2022) 3P 9C