



W.P.(MD) No.13236 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.13236 of 2021

Athilingam

... Petitioner

-Vs-

- 1.The District Collector,
Thenkasi Collector Office,
Thenkasi District.
- 2.The Revenue Divisional Officer,
R.D.O.Office,
Sankarankovil, Thenkasi District.
- 3.The Tahsildar,
Tahsildar Office,
Sankarankovil Taluk, Thenkasi District.

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4.The Block Development Officer,
Block Development Office,
Sankarankovil, Thenkasi District.

5.The Superintendent of Police,
O/o.Superintendent of Police,
Thenkasi District.

6.Lakhsmi

7.Paramasivam

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to conduct proper survey and remove the encroachment made by the respondents 6 and 7 in pathway at Government Natham land in Survey No.692/38, in Panthapuli Village, Sankarankovil Taluk, Thenkasi District based on the petitioner's representations dated 24.05.2021 and 12.07.2021 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Senthil Kumar

For R1 to R3 & R5: Mr.V.Nirmal Kumar,
Government Advocate

For R4 : Mr.R.Ragavendran

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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 4 to conduct a proper survey and remove the encroachment made by the respondents 6 and 7 in the pathway at Government Natham land in Survey No.692/38, situated at Panthapuli Village, Sankarankovil Taluk, Thenkasi District, based on the petitioner's representations dated 24.05.2021 and 12.07.2021 within a time frame.

2.Today, when the matter was taken up for hearing, the learned Government Advocate for the respondents 1 to 3 & 5 has produced the proceedings of the 3rd respondent in REVSKL/879/2022-B4, dated 08.11.2022 addressed to him and submitted that some encroachments were identified in the place in question. He further submitted that since the place in question comes under the control of the 4th respondent, the 3rd respondent by letter dated 08.11.2022, has requested the 4th respondent to take appropriate action, for removal of the encroachments.

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3.The aforesaid submission is not refuted by the learned counsel for the petitioner.

4.Recording the aforesaid submission, this Writ Petition stands disposed of, directing the authorities concerned to remove the encroachments in the place in question, after affording sufficient opportunity 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. No costs.

[R.M.D., J.] & [J.S.N.P., J.]

10.11.2022

Index : Yes / No

Internet : Yes / No

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To

1.The District Collector,
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2.The Revenue Divisional Officer,
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3.The Tahsildar,
Tahsildar Office,
Sankarankovil Taluk, Thenkasi District.

4.The Block Development Officer,
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