



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.[MD]No.12616 of 2022

Inpagaran : Petitioner

Vs.

- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Executive Officer,
Udangudi Special Grade Panchayat,
Thoothukudi District.
- 3.The Tahsildar,
Tiruchendur Taluk Office,
Thoothukudi District.
- 4.The Block Development Officer,
Udangudi,
Thoothukudi District.

5.Thiyagarajan : 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 fifth respondent in common pathway in Survey No.210/10 at South-North Panchayat Road, Kottangadu Village, Udangudi Panchayat, Tiruchendur Taluk, Thoothukudi District by considering the petitioner's representation dated 26.02.2022.

For Petitioner : Mr.S.Muniyandi

For Respondents 1 & 3 : Mr.S.R.A.Ramachandran
Additional Government Pleader

For Respondents 2 & 4 : Mr.A.K.Manikkam
Special 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 Thiyagarajan [fifth respondent herein] has encroached into Survey No.210/10 at South-North Panchayat Road, Kottangadu Village, Udangudi Panchayat, Tiruchendur Taluk, Thoothukudi District and therefore, he has filed the present writ petition for a direction to the respondents 1 to 4 to remove the same.

2.Heard Mr.S.Muniyandi, learned Counsel appearing for the writ petitioner, Mr.S.R.A.Ramachandran, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 & 3 and Mr.A.K.Manikkam, learned Special Government Pleader, who accepts notice on behalf of the respondents 2 & 4.

3.It is seen that the petitioner had earlier given a representation for the removal of some encroachments in connection with which, the Executive Officer, Udangudi Selection Grade Town Panchayat, has issued a notice in Na.Ka.No.30/2020/A1 dated 03.06.2020 to the fifth respondent, calling upon him to remove the encroachments within 15 days from the date of receipt of the notice or face further action. It is the case of the petitioner that though the notice was issued as early as on 03.06.2020, till date, no steps have been taken. However, we do not know what is the present stage of the case.

4.In such view of the matter, we direct the second respondent to take steps to remove the encroachments referred to in his notice dated 03.06.2020, if there are no other legal impediments.

5.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

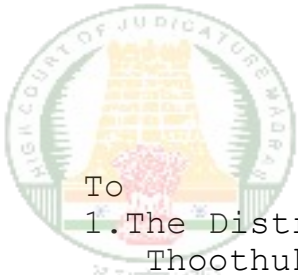
Assistant Registrar(CS-III)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

MR



To

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Executive Officer,
Udangudi Special Grade Panchayat,
Thoothukudi District.

3.The Tahsildar,
Tiruchendur Taluk Office,
Thoothukudi District.

4.The Block Development Officer,
Udangudi,
Thoothukudi District.

+1 CC to M/s.SPL.GP (SR-27444[F] dated 22/06/2022)

ORDER MADE IN
W.P. [MD]No.12616 of 2022
21.06.2022

CK(CO)
TR(01.07.2022) 3P 6C