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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2022

CORAM:

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

W.P.(MD) No.13381 of 2022

G.Subramaniam ... Petitioner

-vs-

1.The District Collector
Office of the District Collectorate
Ramanathapuram
Ramanathapuram District

2.The Assistant Director of Panchayat
Office of the Assistant Director of Panchayat
Ramanathapuram

3.The Sub Collector
Office of the Sub Collector
Paramakudi
Ramanathapuram District

4.The Block Development Officer
Office of the Block Development Office
Paramakudi
Ramanathapuram District

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5.The Tahsildar
Taluk Office
Paramakudi, Ramanathapuram District

6.Kumaresan ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to remove the encroachments made by the sixth respondent in a School property in S.No. 173/15 in Pulavar Velangudi Village, Keelaparuthiyur Group, Paramakudi Taluk, Ramanathapuram District.

For Petitioner : Mr.D.Senthil

For Respondents : Mr.V.Nirmal Kumar
Government Advocate for R1 to R5
Mr.R.Anand for R6

O R D E R
[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 5 to remove the encroachments made by the sixth respondent the school property in Survey No.173/15 of Pulavar Velangudi Village, Keelaparuthiyur Group, Paramakudi Taluk, Ramanathapuram District.

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2. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 5, on instructions, submitted that subsequent to the filing of this writ petition, the Firka Surveyor has conducted a survey in the subject property and found that there are some encroachments by the sixth respondent, as projected by the petitioner and necessary steps would be taken to remove those encroachments, by due process of law, expeditiously and to that effect, he has also produced a copy of the proceedings of the fifth respondent in Na.Ka.A3/6531/2022, dated 12.11.2022, wherein, the name of encroacher as well as the extent and the classification of encroachments have been described in detail.

3. Recording the above submission of the learned Government Advocate, the authority concerned is directed to remove the encroachments as described in the aforesaid proceedings of the fifth respondent, dated 12.11.2022, after giving due notice and sufficient opportunity to all the parties concerned and by following due process of law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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4. With the above direction, this writ petition is disposed of. No costs.

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

14.11.2022

Index : Yes / No
Internet : Yes / No

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To:
1.The District Collector,
Office of the District Collectorate,
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Ramanathapuram District.

2.The Assistant Director of Panchayat,
Office of the Assistant Director of Panchayat,
Ramanathapuram.

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R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

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