



W.P.(MD)No.15282 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 15.11.2022

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

W.P.(MD)No.15282 of 2022

T.Thasavatharam

... Petitioner

Vs.

1. The District Collector,  
O/o. the District Collector,  
Thoothukudi District.

2. The Revenue Divisional Officer,  
O/o. the Revenue Divisional Office,  
Thenthirupera, Thoothukudi District.

3. The Tahsildar,  
O/o. the Tahsildar, Eral Taluk,  
Thoothukudi District.

4. The Executive Officer,  
O/o. the Executive Officer, Selection  
Level Municipality, Thenthirupera, Thoothukudi District.

5. Ponnusamy Pannayar

6. Thangadurai

7. Narayanan



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8. Shanmuga Kani
9. Thanasegaran
10. Amutha
11. Sivasuppu
12. Gunasekaran
13. Chokalingam
14. Murugesan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 14, in the light of the proceedings passed by the third respondent in O.Mu.Aa.1/2252/2022 dated 14.6.2022 in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner

: Mr.M.Maharaja

For Respondents

: Mr.P.Thilak Kumar

Government Pleader for R1 to R4

No appearance for R5 to R14

### **ORDER**

(Order of the Court was made by **R.MAHADEVAN, J.**)

The petitioner has come forward with this writ petition praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 14, in the light of the proceedings passed by the third respondent in O.Mu.Aa.1/2252/2022 dated 14.6.2022 in accordance with law within a time frame.



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2. Heard Mr.M.Maharaja, learned counsel for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 4.

3. Today, when the matter was taken up for hearing, the learned Government Pleader appearing for the respondents 1 to 4, on instructions, submitted that the authorities concerned are conducting survey in the land in question today (15.11.2022) and on completion of such survey, if the authorities find any encroachment, necessary action will be taken for removal of the same, by following due process of law.

4. The aforesaid submission of the learned Government Pleader is not refuted by the learned counsel for the petitioner.

5. Recording the said submission of the learned Government Pleader appearing for the respondents 1 to 4, this Writ Petition is disposed of with a direction to the respondents 1 to 4 to complete the survey of the land in question, in the presence of the petitioner, respondents 5 to 14 and any others concerned, and if there is any encroachment as alleged by the petitioner,



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necessary action shall be taken by the authorities for removal of the same, after

affording sufficient opportunity to all the parties concerned and by following

due process of law. Such an exercise shall be completed within a period of

twelve weeks from the date of receipt of a copy of this order. No costs.

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

15.11.2022

Internet : Yes/No

Index : Yes / No

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**R.MAHADEVAN, J.**

and

**J.SATHYA NARAYANA PRASAD, J.**

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