



W.P(MD) No.15254 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2022

CORAM:

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

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V.Raj

... Petitioner

-VS-

1. The District Collector,
Thiruchirappalli District,
Thiruchirappalli.

2. The Tahsildhar,
Manachanallur Taluk,
Thiruchirappalli District.

3. The Manachanallur Selection,
Grade Town Panchayat,
Through its Executive Officer,
Thiruchirappalli District.

4. A.Durairaj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 1 to 3 to remove the encroachments made by the fourth respondent in Lakshmi Nagar in Survey Number 1/7, Manachanallur, Thiruchirappalli District.



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For Petitioner : Mr.VR.Shanmuganathan
For Respondent : Mr.P.Thilak Kumar,
Government Pleader
for R1 to R3
Mr.M.Saravana Kumar for R4

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 3 to remove the encroachments made by the fourth respondent in Survey Number 1/7, Lakshmi Nagar, Manachanallur, Thiruchirappalli District.

2. The learned counsel for the petitioner submitted that the fourth respondent has made encroachments by blocking the 23 feet road in Survey Number 1/7, Lakshmi Nagar, Manachanallur, Thiruchirappalli District and despite the order of this Court dated 20.06.2017, directing the third respondent to conduct proper survey, no action was taken by the official respondents. Hence, this writ petition.

3. The learned Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that the authorities concerned will



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conduct survey in the land in question and if there is any encroachment, necessary action will be taken for removal of the encroachment, by following due process of law.

4. Recording the said submission of the learned Government Pleader appearing for the respondents 1 to 3, this Writ Petition is disposed of with a direction to the respondents 1 to 3 to conduct a survey of the land in question, in the presence of the petitioner, fourth respondent and any others concerned, and if there is any encroachment as alleged by the petitioner, necessary action has to be taken by the authorities for removal of encroachment, 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

Index : Yes / No
Internet : Yes / No
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