



W.P.(MD)No.15611 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 15.11.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

and

THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

W.P(MD)No.15611 of 2022

R.Balakrishnan

... Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.

2. The Revenue Divisional Officer,
Dindigul Revenue,
Dindigul, Dindigul District.

3. The Tahsildar,
Dindigul East Taluk,
Dindigul District.

4. The President,
Kuvanuthu Panchayat,
Sanarpatti Panchayat Union,
Dindigul District.

5. The Block Development Officer,
Sanarpatti Block, Dindigul District.



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6.Krishnamoorthy

7.Abdul Sardar Sait

8.Gurunathan

9.Thithan

10.Sivaperumal

11.Munisamy Naidu

12.Velmurugan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 4 and 5 herein to remove the encroachments made by the respondents 6 to 12 herein on the waterbodies, Panchayat road, cart track, graveyard situated in Survey Nos.479/1, 480/1, 480/2, 480/3, 475, 472, 458, 460, 461 at Kuvanuthu Village, Dindigul East Taluk, Dindigul District and Survey Nos.111 and 108 Thotanuthu Village, Dindigul, based on the proceedings in O.Mu.No.12988/2020/D2 dated 18.07.2020, within a time frame as stipulated by this Court.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondents 1 - 4 : Mr.G.V.Vairam Santhosh
Addl. Government Pleader

For Respondent No. 5 : Mr.J.Ashok
Addl.Govt.Pleader

No appearance : for R6 to R12



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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 4 and 5 to remove the encroachments made by the respondents 6 to 12 on the waterbodies, Panchayat road, cart track, graveyard situated in Survey Nos.479/1, 480/1, 480/2, 480/3, 475, 472, 458, 460, 461 at Kuvanuthu Village, Dindigul East Taluk, Dindigul District and Survey Nos.111 and 108 Thotanuthu Village, Dindigul, based on the proceedings in O.Mu.No.12988/2020/D2 dated 18.07.2020, within a time frame.

2. Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 to 4, on instructions, submitted that pursuant to the filing of this Writ Petition, the authorities concerned have conducted a survey in the aforesaid lands and identified some encroachments. He further submitted that the said encroachments will be removed by following due process of law, within a time frame.



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3. The aforesaid submission of the learned Additional Government Pleader appearing for the respondents 1 to 4 is not refuted by the learned counsel for the petitioner.

4. Recording the above submission, the Writ Petition is disposed of with a direction to the respondents 4 and 5 to proceed with removal of encroachments in question, after affording sufficient opportunity to the petitioner, respondents 6 to 12 and all other 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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