



W.P(MD)No.15953 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.10.2022

CORAM:

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

**W.P(MD)No.15953 of 2021
and
W.M.P(MD)No.12889 of 2021**

N.A.Arivalagan

... Petitioner

VS.

- 1.The District Collector,
Pudukkottai District.
- 2.The District Revenue Officer,
Pudukkottai.
- 3.The Revenue Divisional Officer,
Illuppur,
Pudukkottai District.
- 4.The Tahsildar,
Viralimalai Taluk,
Pudukkottai District.
- 5.The President,
Theravur Panchayat,
Viralimalai Panchayat Union,
Pudukkottai District.

- 6.Appavu
- 7.Selvi

... Respondents

1/5



W.P(MD)No.15953 of 2021

WEB COPY

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to remove the encroachment made by the sixth and seventh respondents in Survey Nos.119/6 and 119/7 to an extent of 2 acres 1 cent of Theravur Village, Viralimalai Taluk by considering the representations of the petitioner, dated 10.08.2020 and 20.08.2021.

For petitioner	: Mr.B.Prahalad Ravi
For RR 1 & 2	: Mr.G.V.Vairam Santhosh Additional Government Pleader
For R – 3	: Mr.D.Senthil

ORDER

(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 4 herein to remove the encroachment made by the sixth and seventh respondents in Survey Nos. 119/6 and 119/7 to an extent of 2 acres 1 cent of Theravur Village, Viralimalai Taluk, by considering the representations of the petitioner, dated 10.08.2020 and 20.08.2021.



W.P(MD)No.15953 of 2021

WEB COPY

2. Seeking removal of the aforesaid encroachment, the petitioner made representations, dated 10.08.2020 and 20.08.2021 to the official respondents. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

3. The learned Government Advocate appearing for the respondents 1 to 5, on instructions, submitted that the petitioner's representations, dated 10.08.2020 and 20.08.2021 would be considered and appropriate action will be taken in accordance with law.

4. In view of the above, without going into the merits of the claim made by the petitioner, the authorities concerned are directed to consider the representations of the petitioner, dated 10.08.2020 and 20.08.2021 and pass appropriate orders, on merits and in accordance with law. If there is any encroachment as claimed by the petitioner, after issuing notice and conducting survey in the presence of the petitioner and all other parties concerned, the authorities concerned shall take necessary action for removal of such encroachment, after affording sufficient opportunity of personal hearing to all the parties concerned and by following due process



W.P(MD)No.15953 of 2021

WEB COPY

of law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[R.M.D.,J.] [J.S.N.P.,J.]
27.10.2022

Index : Yes / No
Internet : Yes
ps

To

- 1.The District Collector,
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Pudukkottai District.
- 4.The Tahsildar,
Viralimalai Taluk,
Pudukkottai District.
- 5.The President,
Theravur Panchayat,
Viralimalai Panchayat Union,
Pudukkottai District.

4/5



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W.P(MD)No.15953 of 2021

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

ps

ORDER MADE IN
W.P(MD)No.15953 of 2021

DATED : 27.10.2022