



W.P.(MD) No.16209 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.16209 of 2020

G.Sathaiah

... Petitioner

-Vs-

- 1.The District Collector,
Sivagangai, Sivagangai District.
- 2.The Revenue Divisional Officer,
Sivagangai District, Sivagangai.
- 3.The Tahsildar,
Ilayankudi Taluk, Sivagangai District.
- 4.The Block Development Officer,
Ilayankudi Panchayat,
Sivagangai District.
- 5.The Panchayat President,
Vadakku Vandal Village,
Ilayankudi Taluk, Sivagangai District.

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6.R.Ganapathy

7.The Inspector of Police,
Salaigramam, Sivagangai District.

... Respondents

(R7 is suo motu impleaded vide Court order dated 18.11.2020)

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 3 and 5 to remove the encroachment made by the 6th respondent towards southern side of the petitioner's house in S.No.185/4 and southern side of 6th respondent's house in S.No.185/7 in public street which runs through east-west direction to connect the main road based on the petitioner's representation dated 06.10.2020.

For Petitioner	: Mr.T.C.S.Thillainayagam
For R1 to R5	: Mr.G.V.Vairam Santhosh, Additional Government Pleader
For R6	: No Appearance
For R7	: Mr.T.Senthil Kumar, Additional Public Prosecutor

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 3 and 5 to remove the encroachment made by the 6th

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respondent towards southern side of the petitioner's house in S.No.185/4 and southern side of the 6th respondent's house in S.No.185/7 in public street, which runs through east-west direction to connect the main road based on the petitioner's representation dated 06.10.2020 within a time frame.

2.Claiming that the 6th respondent has made the aforesaid encroachment, the petitioner made a representation dated 06.10.2020 to the official respondents, seeking removal of the same. Finding no heed to it was paid, this Writ Petition is filed.

3.The learned Additional Government Pleader for the respondents 1 to 5 submitted that the representation of the petitioner dated 06.10.2020 would be considered on merits and appropriate action would be taken for removal of the encroachment, if any, in the place in question, by following due process of law, within a time frame, for which, the learned counsel for the petitioner is agreeable.



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4. In view of the above, without going into the merits of the case, this Court directs the authorities concerned to consider the representation of the petitioner dated 06.10.2020 and pass appropriate orders on merits and in accordance with law. If there is any encroachment in the place in question, the same shall be removed by the authorities concerned, after affording sufficient opportunity to all the parties concerned and by following due process 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 stands disposed of. No costs.

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

10.11.2022

Index : Yes / No

Internet : Yes / No

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