



W.P.(MD) No.17579 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.17579 of 2020

Tamilselvan (Ex-Army)

... Petitioner

-Vs-

1.The District Collector,
Trichy District, Trichy.

2.The Commissioner,
Trichy Corporation, Trichy.

3.The Assistant Commissioner,
Trichy Corporation, Trichy.

4.The Tahsildar, (West),
Tahsildar Office West,
Cambian School Road, Trichy-1.

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... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachments made by the 5th respondent in Old T.S.No.78, New T.S.No.4, Ward M, Block No.42, Thamalaroobayam Village, Uraiyur, Trichy District by considering the petitioner's representation dated 25.09.2020.

For Petitioner : Mr.K.Chengizkhan
For R1 and R4 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
For R2 and R3 : Mr.R.Baskaran,
Standing Counsel
For R5 : No Appearance

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 1 to 4 to remove the encroachments made by the 5th respondent in Old T.S.No.78, New T.S.No.4, Ward M, Block No.42, Thamalaroobayam Village, Uraiyur, Trichy District by considering the petitioner's representation dated 25.09.2020 within a time frame.

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2.Today, when the matter was taken up for hearing, the learned Additional Government Pleader for the respondents 1 and 4 submitted that the authorized Surveyor of Ko.Abishekapuram Division has partially conducted a survey in the place in question and sought some more time to complete the survey. He further submitted that after survey, if there is any encroachment in the place in question, the same would be removed by the authorities concerned, after affording sufficient opportunity to all the parties concerned and by following due process of law.

3.In view of the above, without going into the merits of the case, this Court directs the authorities concerned to complete the survey within a period of eight (8) weeks from the date of receipt of a copy of this order and thereafter, remove the encroachment, if any in the place in question, after affording sufficient opportunity to all the parties concerned and by following due process of law.



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4.With the above direction, this Writ Petition stands disposed of. No costs.

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

11.11.2022

Index : Yes / No

Internet : Yes / No

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To

1.The District Collector,
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