



W.P(MD)No.17039 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2022

CORAM:

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

**W.P(MD)No.17039 of 2020
and
W.M.P(MD)No.14243 of 2020**

R.Selvaraj

... Petitioner

VS.

- 1.The District Revenue Officer,
O/o.District Revenue Officer,
Dindigul District.
- 2.The Block Development Officer (Village Panchayat),
Panchayat Union,
Dindigul District.
- 3.The Tahsildar,
Dindigul West Taluk,
Dindigul District.
- 4.The President,
Pallapatti Panchayat,
Dindigul West Taluk,
Dindigul District.

5.Arockiammal
6.Ethirajalu

... Respondents



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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 to remove the encroachments made in S.F.No.180/22 situates at Pallapatti Village, Vadakkuparaipatti, Dindigul West Taluk, Dindigul District by complying with the proceedings of the second respondent in Na.Ka.No.2940/2019/Oo2, dated 30.09.2020 within a time frame.

For Petitioner	: Mr.R.Venkatesan
For RR 1 & 3	: Mr.S.P.Maharajan Special Government Pleader
For RR 2 & 4	: Mr.R.Murugaraj
For R – 5	: Mr.M.Kannan

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 to remove the encroachments made in S.F.No.180/22 situates at Pallapatti Village, Vadakkuparaipatti, Dindigul West Taluk, Dindigul District by complying with the proceedings of the second respondent in Na.Ka.No.2940/2019/Oo2, dated 30.09.2020 within a time frame.



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2.The learned counsel appearing for the petitioner submitted that though the second respondent vide proceedings in Na.Ka.No. 2940/2019/Oo2, dated 30.09.2020, directed the fourth respondent to remove the encroachment in the abovesaid survey number, till date, no action has been taken. Hence, this Writ Petition.

3.The learned counsels appearing for the respondents 1 to 4 submitted that appropriate action will be taken for removal of encroachment in the place in question, if any, by due process of law, within a time frame, for which, the learned counsel appearing for the petitioner is agreeable.

4.In view of the abovesaid submissions, the authorities concerned are directed to conduct survey in the place in question, after issuing notice to the petitioner and all other parties and if the survey revealed encroachment as claimed by the petitioner, the same shall be removed, after affording sufficient opportunity of personal hearing to all the parties concerned and by following due process of law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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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.]
24.11.2022

Index : Yes / No
Internet : Yes
ps

To

- 1.The District Revenue Officer,
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Dindigul District.
- 3.The Tahsildar,
Dindigul West Taluk,
Dindigul District.
- 4.The President,
Pallapatti Panchayat,
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Dindigul District.



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

ps

ORDER MADE IN
W.P(MD)No.17039 of 2020

DATED : 24.11.2022