



W.P.(MD)No.16738 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.11.2022

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

W.P(MD)No.16738 of 2021

S.Gopalakrishnan

... Petitioner

Vs.

1. The District Collector,
Madurai District, Madurai.

2. The Revenue Divisional Officer,
Thirumangalam, Madurai District.

3. The Block Development Officer,
Thirumangalam, Madurai District.

4. The Tahsildar,
Thirumangalam Taluk, Madurai District.

5. The President,
Sathangudi Village Panchayat,
Thirumangalam Taluk, Madurai District.

6. Gurusamy

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 5 to take action against the sixth respondent for removal of the encroachment made in the public pathway in Survey No.98/59 running in front of the petitioner and the



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sixth respondent's properties situated at Sathangudi Village, Thirumangalam Taluk, Madurai District, within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.M.Kannan
For Respondents 1 - 5 : Mr.V.Nirmal Kumar
Government Advocate
For Respondent No.6 : Mr.S.Ramsundar Vijayraj

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 1 to 5 to take action against the sixth respondent for removal of the encroachment made in the public pathway in Survey No.98/59, Sathangudi Village, Thirumangalam Taluk, Madurai District, within a time frame.

2. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 5, on instructions, submitted that pursuant to the filing of this Writ Petition, the authorities concerned have conducted a survey in Survey No.98/59, Sathangudi Village, Thirumangalam Taluk, Madurai District and found that there are encroachments



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in the aforesaid public pathway. He further submitted that the encroachments

will be removed by following due process of law, within a time frame.

3. The aforesaid submission of the learned Government Advocate appearing for the respondents 1 to 5 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 1 to 5 to proceed with removal of encroachment in question, after affording sufficient opportunity to the petitioner, sixth respondent and all other parties concerned, 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.]
24.11.2022

Internet : Yes / No
Index : Yes / No
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