



W.P(MD)No.16863 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.16863 of 2021

D.Chandra Mohan

... Petitioner

VS.

- 1.The Director,
Town and Country Planning Development,
807 P.T Lee Chengalvarayan Naicker Building,
Anna Salai,
Chennai – 600 002.
- 2.The Additional Director,
Town Planning Authority Department,
Trichirappalli Zone,
Trichy.
- 3.The District Collector,
Karur District,
Karur.
- 4.The Tahsildar,
Aravakurichi Taluk,
Karur District.
- 5.The Block Development Officer,
Aravakurichi Union,
Karur District.



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6.The Assistant Director,
Land Survey,
Collectorate Campus,
Karur.

7.The President,
Easanatham Village Panchayat,
Aravakurichi Taluk,
Karur District.

8.P.Kanthasamy
9.A.Syed Yousuf
10.P.Prasath

... Respondents

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 7 to remove the encroachments made in the public roads in "Roja Nagar" situated in Village Survey No.782 of Easanatham Village, Aravakurichi Taluk, Karur District in accordance with the approval order issued by the second respondent vide his proceedings in Na.Ka.No.943/2018, thi ma 2, dated 05.06.2018 given to the "Roja Nagar" situated in Village Survey No.782 of Easantham Village, Aravakurichi Taluk, Karur District and the regularization order passed by the fifth respondent herein vide his proceedings in Na.Ka.No.Aa3/1905/2018, dated 22.06.2020.

For Petitioner : Mr.N.Anandakumar

For RR 1 to 7 : Mr.S.P.Maharajan
Special Government Pleader

For RR 8 to 10 : No appearance



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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 7 to remove the encroachments made in the public roads in "Roja Nagar" situated in Village Survey No.782 of Easanatham Village, Aravakurichi Taluk, Karur District in accordance with the approval order issued by the second respondent vide proceedings in Na.Ka.No.943/2018, thi ma 2, dated 05.06.2018 and the regularization order passed by the fifth respondent vide proceedings in Na.Ka.No.Aa3/1905/2018, dated 22.06.2020.

2. The learned counsel appearing for the petitioner submitted that though the fifth respondent vide proceedings in Na.Ka.A3/3206/2018, dated 12.02.2021, directed the fourth respondent to remove the encroachments, pursuant to the representation of the petitioner, dated 21.01.2021, the alleged encroachments have not been removed. Hence, the petitioner made another representation, dated 25.08.2021 to the respondents 1 to 7 seeking removal of the encroachment in the aforesaid survey number. However, till date, the same has not been considered so far. Hence, this Writ Petition.

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3. The learned Special Government Pleader appearing for the respondents 1 to 7, on instructions, submitted that the encroachments pointed out in the aforesaid proceedings of the fifth respondent will be removed by due process of law, within a time frame.

4. Recording the abovesaid submission, this Writ Petition is disposed of with a direction to the authorities concerned to remove the encroachments in the place in question, after giving due notice and 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. No costs.

Index : Yes / No
Internet : Yes
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[R.M.D.,J.] [J.S.N.P.,J.]
27.10.2022



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R.MAHADEVAN,J.
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ORDER MADE IN
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