



W.P.(MD)No.17791 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.10.2022

CORAM

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

W.P(MD)No.17791 of 2021

D.Chinnaraj

... Petitioner

Vs.

1.The District Collector,  
Thanjavur District, Thanjavur.

2.The Tahsildar,  
Tahsildar Office,  
Thanjavur.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to remove the encroachments in Survey Nos.170-A1, 0.30.0 Ares, 170/A2, 0.95.0 Ares, 170/A3, 0.37.05 Ares, and 170/B, 0.29.0 Ares and also Vandipathai Survey No. 177/1, 0.80.0 Ares at Kalvirayanpatti Village, Thanjavur Taluk and District and by considering the petitioner's representation dated 25.06.2021.

For Petitioner

: Mr.S.Pugalendhi

For Respondents

: Mr.S.P.Maharajan  
Additional Government Pleader  
for R1 and R2



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W.P.(MD)No.17791 of 2021

## **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 to remove the encroachments in Survey Nos.170-A1, 170/A2, 170/A3, 170/B and in Vandipathai Survey No.177/1 at Kalvirayanpatti Village, Thanjavur Taluk and District, by considering the petitioner's representation dated 25.06.2021.

2. Heard Mr.S.Pugalendhi, learned counsel for the petitioner and Mr.S.P.Maharajan, learned Additional Government Pleader appearing for the respondents 1 and 2.

3. Pointing out that some encroachments were made in the aforesaid survey numbers, which is said to be a waterbody at Kalvirayanpatti Village, Thanjavur District, the petitioner submitted a representation to the second respondent on 25.06.2021 and the same, according to learned counsel for the petitioner, is unattended. Learned counsel for the petitioner would further submit that the petitioner would be satisfied if a direction is issued to the



W.P.(MD)No.17791 of 2021

respondents, to consider the representation of the petitioner dated 25.06.2021,  
in accordance with law.

4. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the claim made by the petitioner, this Writ Petition is disposed of with a direction to the respondents, to consider the representation of the petitioner dated 25.06.2021, if not considered earlier and if there is any encroachment as claimed by the petitioner, appropriate action shall be taken for removal of the same, after affording due opportunity of hearing to the petitioner as well as all the parties concerned and also by due process of law within a period of eight weeks from the date of receipt of a copy of this order. No costs.

**[R.M.D., J.]      [J.S.N.P., J.]**  
**11.10.2022**

Internet : Yes / No  
Index : Yes / No  
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W.P.(MD)No.17791 of 2021

To

- 1.The District Collector,  
Thanjavur District, Thanjavur.
- 2.The Tahsildar,  
Tahsildar Office,  
Thanjavur.



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**R.MAHADEVAN, J.**

and

**J.SATHYA NARAYANA PRASAD, J.**

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