



W.P.(MD) No.18541 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.18541 of 2020

K.Vijayan

... Petitioner

-Vs-

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Melur Taluk, Madurai.

3.The Block Development Officer,
Melur Panchayat Union, Melur.

4.The President,
Pulipatti Panchayat,
Madurai District.

Page 1 of 6



W.P.(MD) No.18541 of 2020

WEB CRYM 5.Rajamurali

6.Muthukumar

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 4th respondent to remove the encroachments made by the respondents 5 and 6 in Survey Nos.170/5 and 170/9 at Pulipatti Village, Melur Taluk, Madurai District based on the representation of the petitioner dated 20.01.2020.

For Petitioner	: Mr.S.Vellaichamy
For R1 and R2	: Mr.V.Nirmal Kumar, Government Advocate
For R3	: Mr.Kanithevan
For R4	: No Appearance
For R5	: Mr.S.Mohanram

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 4th respondent to remove the encroachments made by the respondents 5 and 6 in Survey Nos.170/5 and 170/9 at Pulipatti Village, Melur

Page 2 of 6



W.P.(MD) No.18541 of 2020

WEB COPY

Taluk, Madurai District, based on the representation of the petitioner dated 20.01.2020 within a time frame.

2. According to the petitioner, the respondents 5 and 6 have encroached upon the lands in Survey Nos.170/5 and 170/9 at Pulipatti Village, Melur Taluk, Madurai District. Therefore, he approached the 2nd respondent to survey the lands in question, who in turn, directed the Surveyor to conduct a survey and during survey, it was found that the respondents 5 and 6 have encroached the lands in question. Thereafter, no action was taken to remove the encroachment. Hence, the petitioner made a representation dated 20.01.2020 to the official respondents. Based on the said representation, the 3rd respondent issued a letter in Na.Ka.No.909/2018/Thi.1, dated 24.02.2020 to the 4th respondent to remove the encroachment in the lands in question. However, the 4th respondent did not take any action to remove the encroachment. Hence, this Writ Petition.

3. Today, when the matter was taken up for hearing, the learned Government Advocate for the respondents 1 and 2 submitted that appropriate



W.P.(MD) No.18541 of 2020

WEB COPY

action would be taken for removal of the encroachment, if any, in the lands in question, after affording sufficient opportunity to all the parties concerned and by following due process of law within a time frame.

4.In view of the above, without going into the merits of the case, this Court directs the authorities concerned to remove the encroachment, if any, in the lands in question, after affording 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.

5.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

Myr

Page 4 of 6



W.P.(MD) No.18541 of 2020

WEB COPY

To

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Madurai District, Madurai.

2.The Tahsildar,
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WEB COPY



W.P.(MD) No.18541 of 2020

R.MAHADEVAN, J.

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