



W.P(MD)No.18876 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2022

CORAM:

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

**W.P(MD)No.18876 of 2019
and
W.M.P(MD)No.15213 of 2019**

P.Kanagaraj

... Petitioner

VS.

- 1.The District Collector,
Karur District,
Karur.
- 2.The Revenue Divisional Officer,
Karur Taluk,
Karur District.
- 3.The Tahsildar,
Manmagalam Taluk,
Karur District.
- 4.The Joint Commissioner,
Hindu Religious Charitable and Endowment Department,
Srirangam,
Tiruchi District.
- 5.The Block Development Officer,
Kupuchipalayam Village,
Karur Union,
Vennimalai, Karur.



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6.The Assistant Director,
Town and Country Planning Department,
Kajamalai,
Tiruchi,
Tiruchi District.

7.The Sub-Registrar,
Karur West Sub-Registration Office,
Government Hospital Road,
Karur Town,
Karur District.

8.Subbarayan

9.Selvandiran

10.Thangammal

... 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 4 to remove the encroachment made by the respondents 8 to 10 in Survey No.161, Kuchipalayam Village, Manmangalam Taluk, Karur District and forbear the respondents 5 and 6 from granting layout approval for the said land and restrain the respondents 8 to 10 from laying layout and pathway in the said land and also prevent the seventh respondent from registering any deed against the abovesaid land.

For Petitioner : Mr.V.Sukumar

For RR 1 to 4, 6 & 7 : Mr.S.P.Maharajan
Special Government Pleader

For R – 5 : Mr.Aayiram K.Selvakumar

For RR 9 & 10 : Mr.V.Nagarajan

For R – 8 : No appearance



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ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The prayer made in this Writ Petition is to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made by the respondents 8 to 10 in Survey No.161, Kuchipalayam Village, Manmangalam Taluk, Karur District and forbear the respondents 5 and 6 from granting layout approval for the said land and restrain the respondents 8 to 10 from laying layout and pathway in the said land and also prevent the seventh respondent from registering any deed against the abovesaid land.

2. The learned counsel appearing for the petitioner submitted that though the petitioner made representation, dated 30.07.2019 to the authorities concerned seeking to remove the encroachment made by the respondents 8 to 10, till date no steps have been taken by the official respondents to remove the same. Hence, this Writ Petition.



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3. The learned Special Government Pleader appearing for the respondents 1 to 4, 6 & 7, on instructions, submitted that the representation of the petitioner, dated 30.07.2019 would be considered and appropriate action will be taken, for which, the learned counsel appearing for the petitioner is agreeable.

4. In view of the abovesaid submission, this Writ Petition is disposed of directing the official respondents to consider the representation of the petitioner, dated 30.07.2019 on merits and in accordance with law. If there is any encroachment, the authorities concerned shall remove the same, after affording sufficient opportunity to all the parties concerned and 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. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes
ps

[R.M.D.,J.] [J.S.N.P.,J.]
13.10.2022



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

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ORDER MADE IN
W.P(MD)No.18876 of 2019

DATED : 13.10.2022