



W.P(MD)No.21190 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2022

CORAM:

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

W.P(MD)No.21190 of 2022

A.K.Baskar

... Petitioner

VS.

1.The District Collector,
Madurai District,
Madurai.

2.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai – 02.

3.The Tahsildar,
South Taluk,
Madurai District.

4.Irulandi

5.S.Manikandan

... 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 3 to remove the encroachment made by the respondents 4 and 5 in the common pathway connecting Prassana New Colony – Semburani Road

1/5



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WEB CUP situated at Avaniyapuram, Madurai South, Madurai, based on the representation, dated 14.07.2022.

For Petitioner : Mr.J.Senthil Kumar
For RR 1 & 3 : Mr.N.GA.Nataraj
Government Advocate
For R – 2 : Mr.S.Vinayak
For RR 4 & 5 : No appearance

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 3 to remove the encroachment made by the respondents 4 and 5 in the common pathway connecting Prassana New Colony – Semburani Road situated at Avaniyapuram, Madurai South, Madurai, based on the representation, dated 14.07.2022.

2. Seeking removal of encroachment made by the respondents 4 and 5, the petitioner sent a representation, dated 14.07.2022 to the official respondents. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.



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3. The learned Government Advocate appearing for the respondents 1 and 3 submitted that the representation of the petitioner, dated 14.07.2022 will be disposed of by the official respondents in accordance with law within a time frame.

4. In view of the abovesaid submissions, without going into the merits of the claim made by the petitioner, the authorities concerned are directed to consider the representation of the petitioner, dated 14.07.2022 and pass appropriate orders, on merits and in accordance with law. If there is any encroachment as claimed by the petitioner, after issuing notice and conducting survey in the presence of the petitioner and all other parties, the authorities concerned shall take necessary action for removal of the encroachment, after affording sufficient opportunity of personal hearing to all the parties concerned including the respondents 4 and 5 and by following due process of law, within a period of twelve weeks from the date of receipt of a copy of this order.



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WEB COPY 5. With the above direction, this Writ Petition is disposed of. No costs.

[R.M.D.,J.] [J.S.N.P.,J.]
23.11.2022

Index : Yes / No
Internet : Yes
ps

To

- 1.The District Collector,
Madurai District,
Madurai.
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R.MAHADEVAN,J.
and
J.SATHYA NARAYANA PRASAD,J.

ps

ORDER MADE IN
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DATED : 23.11.2022