



W.P.(MD) No.19897 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.19897 of 2020

A.Joseph

... Petitioner

-Vs-

- 1.The District Collector,
Tiruchirapalli District,
Collectorate Buildings,
Cantonment, Tiruchirappalli-620 001.
- 2.The Tahsildar, Manapparai Taluk,
Tahsildar's Office, Manapparai,
Trichy District-621 306.
- 3.The Revenue Divisional Officer,
Srirangam Zone, Trichirappalli District.
- 4.The Regional Development Officer,
Vaiyampatty Panchayat Union,
Vaiyampatty, Manapparai Taluk,
Trichirappalli District-621 315.

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5.The Village Administrative Officer,
Palayakottai Village,
Manapparai Taluk,
Trichy District-621302.

6.The President,
Palayakottai Panchayat,
Vaiyampatty Panchayat Union,
Manapparai Taluk, Trichy District-621302.

7.The Inspector of Police,
Vaiyampatty Police Station,
Manapparai Taluk,
Trichy District-621315.

8.Anthonysamy

9.Gnanapoo

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the official respondents 1 to 7 to take necessary and immediate actions required upon considering the petitioner's representation dated 01.12.2020 in order to remove the encroachments made by the respondents 8 and 9 in the common pathway and vacant place in S.F.No.658/44 of Pazhayakottai Village and thereby to enable the local authorities to provide drinking water connection through the common pathway.

For Petitioner : Mr.K.S.Kathiravan

For R1 to R5 : Mr.P.Thilak Kumar,
Government Pleader

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For R7 : Mr.T.Senthil Kumar,
Additional Public Prosecutor
For R8 : No Appearance

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 respondents 1 to 7 to take necessary and immediate action required upon considering the petitioner's representation dated 01.12.2020 seeking to remove the encroachments made by the respondents 8 and 9 in the common pathway and vacant place in S.F.No.658/44 of Pazhayakottai Village and thereby enable the local authorities to provide drinking water connection through the said common pathway.

2.Claiming that the respondents 8 and 9 have encroached upon the common pathway and vacant place in S.F.No.658/44 of Pazhayakottai Village, the petitioner and the villagers, made a representation dated 17.08.2020 to the official respondents to remove the same and to provide drinking water connection. Since the same was not considered, the petitioner made another

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representation dated 01.12.2020 to the official respondents. Finding no heed to it was paid, this Writ Petition is filed.

3.Today, when the matter was taken up for hearing, the learned Government Pleader for the respondents 1 to 5 submitted that the representation of the petitioner dated 01.12.2020 would be considered on merits and appropriate action would be taken for removal of the encroachment, if any, in the place in question, 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 consider the representation of the petitioner dated 01.12.2020 and pass appropriate orders on merits and in accordance with law. If there is any encroachment in the place in question, the same shall be removed by the authorities concerned, after affording sufficient opportunity to all the parties concerned and by following due process of law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition stands disposed of. No costs.

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

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Index : Yes / No

Internet : Yes / No

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