



W.P.(MD) No.19485 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.10.2022

CORAM:

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

W.P.(MD) No.19485 of 2021

K.Gurusamy

... Petitioner

-vs-

1.The District Collector
Tuticorin, Tuticorin District

2.The District Revenue Officer
Tuticorin, Tuticorin District

3.The Revenue Divisional Officer
Kovilpatti, Tuticorin District

4.The Tahsildar
Vilathikulam Taluk
Vilathikulam
Tuticorin District

5.S.Appanasamy

6.B.Mariyammal

... Respondents



W.P.(MD) No.19485 of 2021

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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 and 6 in the public pathway situated in Survey No.321/2, Subbiahpuram Village, Jegaveerapuram Majara, Vilathikulam Taluk, Tuticorin District and consequently direct the respondents 1 to 4 to take appropriate action as against the encroachers on the basis of the petitioner's representation dated 18.08.2021.

For Petitioner : Mr.Jeyakumaran.J.

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R4
Mr.V.Lakshmanan for R5
No appearance for R6

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 4 to remove the encroachment made by the respondents 5 and 6 in the public pathway in Survey No.321/2 of Subbiahpuram Village, Jegaveerapuram Majara, Vilathikulam Taluk, Tuticorin District and to direct them to take appropriate action as against the encroachers, based on the petitioner's representation dated 18.08.2021.



W.P.(MD) No.19485 of 2021

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2. When the matter was taken up for hearing, the learned Special Government Pleader appearing for the respondents 1 to 4, on instructions, submitted that there are some encroachments made by the private respondents, as projected by the petitioner, in the subject land and the same would be removed, in accordance with law, within a period of eight weeks.

3. Recording the above submission of the learned Special Government Pleader, the authority concerned is directed to remove the encroachments made by the private respondents in the subject land after giving due notice 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.

4. With the above direction, this writ petition is disposed of. No costs.

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

27.10.2022

Index : Yes / No

Internet : Yes / No

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Page 3 of 5



W.P.(MD) No.19485 of 2021

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