



W.P.(MD) No.19268 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.19268 of 2021
and
W.M.P.(MD) No.16025 of 2021**

S.R.Ravichandran

... Petitioner

-VS-

- 1.The District Collector
Virudhunagar District
Virudhunagar
- 2.The Revenue Divisional Officer
Sathur, Virudhunagar District
- 3.The Tahsildar
Rajapalayam Taluk
Rajapalayam
Virudhunagar District
- 4.Sri Thoppaiyankulam
Subramanya Swamy Thirukovil
rep.by its Trustee
Mohavur, Thalavaipuram
Rajapalayam Taluk
Virudhunagar District

... Respondents



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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 3 to remove the encroachments caused by the fourth respondent or any other person in Survey No.4/7, Chettiarpatti Village, Rajapalayam Taluk, Virudhunagar District, within a time frame.

For Petitioner : Mr.Y.Prakash

For Respondents : Mr.V.Nirmal Kumar
Government Advocate for R1 to R3
Mr.S.Muniyandi for R4

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 encroachments made by the fourth respondent – Temple in Survey No.4/7 of Chettiarpatti Village, Rajapalayam Taluk, Virudhunagar District, within a time frame.



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2. The grievance of the petitioner is that though he made a representation to the first respondent as early as on 28.09.2021 seeking removal of the encroachment made by the fourth respondent – Temple in the aforesaid survey number, till date the same has not been considered.

3. The learned Government Advocate appearing for the respondents 1 to 3, on instructions, submitted that the petitioner's representation dated 28.09.2021 would be considered and appropriate action would be taken in accordance with law.

4. In view of the above, without going into the merits of the claim made by the petitioner, the respondents 1 to 3 are directed to consider the petitioner's representation dated 28.09.2021 and pass appropriate orders, if not already disposed of, on merits and in accordance with law. If there is any encroachment as pointed out by the petitioner, the same shall be removed, 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.



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5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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

27.10.2022

Index : Yes / No

Internet : Yes / No

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To:

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Sathur, Virudhunagar District.
- 3.The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.



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