



W.P(MD)No.8025 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM:

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

**W.P(MD)No.8025 of 2018
and
W.M.P(MD)No.7623 of 2018**

S.Annalakshmi

... Petitioner

vs.

1.The District Collector,
The District Collector Office,
Pudukkottai.

2.The Tahsildar,
Taluk Office,
Aranthangi Town & Taluk,
Pudukkottai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the second respondent and his men from evicting the petitioner from S.F.No.18/1 in Rathinakkottai Village, Aranthangi Taluk, Pudukkottai District with an extent of 1 cent with asbestos shed bearing Door No.49/1, Pattukkottai Road, Aranthangi Town, Pudukkottai District without following due process of law.



W.P(MD)No.8025 of 2018

WEB COPY

For Petitioner : Mr.K.Baalasundaram

For Respondents : Mr.P.Thilak Kumar
Government Pleader

COMMON ORDER

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

The prayer made in these Writ Petitions is to issue a Writ of Mandamus, forbearing the second respondent from evicting the petitioner from S.F.No.18/1 in Rathinakkottai Village, Aranthangi Taluk, Pudukkottai District with an extent of 1 cent with asbestos shed bearing Door No.49/1, Pattukkottai Road, Aranthangi Town, Pudukkottai District, without following due process of law.

2.The learned counsel appearing for the petitioner submitted that the petitioner purchased the property in the abovesaid survey number and put up asbestos shed. Contending that the abovesaid survey number is situated in the water catchment portion of Vannankulam, the second respondent is taking illegal steps to evict the petitioner from her property without following due process of law. Hence, the petitioner sent a representation, dated 09.04.2018 to the respondents not to initiate any eviction proceedings in respect of the above said property.



W.P(MD)No.8025 of 2018

WEB COPY

3. The learned Government Pleader appearing for the respondents submitted that the representation of the petitioner, dated 09.04.2018 would be considered and disposed of on merits and in accordance with law and appropriate action will be taken for removal of encroachment in the place in question if any, by due process of law, within a time frame, 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 09.04.2018 on merits and in accordance with law. If there is any encroachment made by the petitioner, 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 eight 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.]
17.11.2022
(2/2)

3/5



W.P(MD)No.8025 of 2018

WEB COPY

To

- 1.The District Collector,
The District Collector Office,
Pudukkottai.
- 2.The Tahsildar,
Taluk Office,
Aranthangi Town & Taluk,
Pudukkottai District.



WEB COPY



W.P(MD)No.8025 of 2018

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

ps

ORDER MADE IN
W.P(MD)No.8025 of 2018

DATED : 17.11.2022
(2/2)