



W.P.(MD) No.19630 of 2021

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.19630 of 2021
and W.M.P.(MD)No.16319 of 2021

Balamurugan

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai,
Sivagangai District.
- 2.The Tahsildar,
Singampunari,
Sivagangai District.
- 3.The Block Development Officer,
Singampunari,
Sivagangai District.
- 4.The President,
A.Kaalappur Village Panchayat,
Sivagangai District.



WEB C 5.P.Chinnaiah

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... Respondents

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 caused by the 5th respondent on a public cement road in S.No.621/1, situated at Ambedkkar Street, Kaalappur Village Panchayat, Singampunari Taluk, Sivagangai District within a time frame as fixed by this Honble Court.

For Petitioner : Mr.S.Thirupathy

For Respondents : Mr.S.P.Maharajan,
Spl. Govt. Pleader for R1 to R4
Mr.M.Prabhu for R5

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 4 to remove the encroachment caused by the 5th respondent on a public cement road in S.No.621/1, situated at Ambedkkar Street, Kaalappur Village Panchayat, Singampunari Taluk, Sivagangai District, within a time frame.



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2. The learned counsel appearing for the petitioner submitted that though the petitioner made a representation on 04.10.2021 to the respondents 1 to 4 seeking to remove the aforesaid encroachment, till date, no steps have been taken by the respondents to remove the said encroachment. Hence, the petitioner has filed this Writ Petition.

3. The learned Special Government Pleader appearing for the respondents 1 to 4 has produced a communication of the Tahsildar, Singampunari, second respondent herein in Na.Ka.No.A1/4136/2021, dated 09.10.2021 and submitted that there are some encroachments in the place in question and the same would be removed by the authorities concerned within a time frame, by due process of law, for which, the learned counsel for the petitioner is agreeable.

4. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to consider and dispose of the representation of the petitioner dated 04.10.2021, on merits and in accordance with law and remove the encroachment, as per the proceedings of the second



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respondent in Na.Ka.No.A1/4136/2021, dated 09.10.2021, 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 (8) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

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

17.11.2022

vsm



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