

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2022

CORAM:

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

W.P.(MD) No.21171 of 2022

S.Thangavel

... Petitioner

-VS-

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Thriuchuli Taluk,
Thiruchuli,
Virudhunagar District.

3.The Block Development Officer,
Narikudi Block,
Narikudi, Virudhunagar District.

4.Ganesan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to issue necessary direction to the respondents Nos.2 and 3 herein to remove the encroachment by demolishing the construction put up the 4th respondent in the Government Poramboke land, used as common pathway bearing Survey No.22/14 situated at Udaiya Kanchirangulam Village, Melarangiyam Post, Thiruchuli Taluk, Virudhunagar District, based on the petitioner's representation dated 14.02.2022 made to the respondent Nos.1 to 3.

For Petitioner : Mr.K.Kannan

For Respondents : Mr.P.Thilakkumar,
Government Pleader for R1 to R3

ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

Mr.P.Thilakkumar, learned Government Pleader, takes notice for respondents 1 to 3.

2. Since the writ petition is disposed of at the admission stage itself and considering the nature of relief sought for by the petitioner, notice to the fourth respondents is dispensed with.

3. With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. The petitioner has given a representation dated 14.02.2022, seeking for removal of encroachment by demolishing the construction put up by the 4th respondent in the Government Poramboke land, which has been used as common pathway, bearing Survey No.22/14, situated at Udaiya Kanchirangulam Village, Melarangiyam Post, Thiruchuli Taluk, Virudhunagar District. Since the same was not considered, the petitioner has approached this Court by filing this Writ Petition as Public Interest Litigation.

5. Considering the facts and circumstances of the case, this Court, without going into the merits of the claim made by the petitioner, directs the

respondents 1 to 3, to consider the representation of the petitioner dated 14.02.2022, and pass appropriate orders, on merits and in accordance with law, after giving due notice to all the parties concerned, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

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

06.09.2022

Index : Yes / No

Internet : Yes / No

vsm

To

- 1.The District Collector,
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Virudhunagar.
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Thriuchuli Taluk,
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R.MAHADEVAN, J.
and
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vsm

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