

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 09.09.2022**

**CORAM:**

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

**W.P.(MD) No.21472 of 2022**

Rajasekaran

... Petitioner

-VS-

- 1.The District Collector,  
Trichy District,  
Trichy.
- 2.The Revenue Divisional Officer,  
Lalgudi,  
Trichy District.
- 3.The Tahsildar,  
Lalgudi Taluk,  
Trichy District.
- 4.The Commissioner,  
Lalgudi Municipality,  
Trichy District.

5.Jayakodi Savariraj

6.Marria Danapal

7.Arokiya Das

8.Amul

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 4<sup>th</sup> respondent to remove the encroachment made by the respondents 5 to 8 in Survey No.51/01, 51/02, 51/07, 51/08 and 51/09 situated at Nannimangalam Village, Lalgudi Taluk, Trichy District by considering the petitioner's representations dated 21.03.2022, 05.05.2022 and 29.07.2022.

For Petitioner : Mr.T.Lenin Kumar

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

**ORDER**

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

Mr.S.P.Maharajan, learned Special 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 private 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 claims that the respondents 5 to 8 have encroached upon the public pathway in Survey No.51/01, 51/02, 51/07, 51/08 and 51/09 situated at Nannimangalam Village, Lalgudi Taluk, Trichy District by erecting fence. Seeking to remove the same, the petitioner has given representations

dated 21.03.2022, 05.05.2022 and 29.07.2022 to the respondents and according to him, the same are unattended so far.

5. Considering the facts and circumstances of the case, this Court directs the respondents 1 to 4 to consider the representations of the petitioner dated 21.03.2022, 05.05.2022 and 29.07.2022, and pass appropriate orders on merits and in accordance with law, after giving due notice to all the parties concerned, if not considered earlier. If there is any encroachment as claimed by the petitioner, necessary action be taken by the authorities in accordance with law for removing the encroachment. Such exercise shall be completed within a period of eight 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.]**

vsm

**09.09.2022**

Index : Yes / No

Internet : Yes / No

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