



W.P.(MD) No.20645 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.20645 of 2019

and

W.M.P.(MD)No.17267 of 2019

K.Kumaravelu

... Petitioner

Vs.

- 1.The District Collector,
Pudukottai District,
Pudukottai.
- 2.The Revenue Divisional Officer,
Pudukottai,
Pudukottai District.
- 3.The Thashildar,
Thirumayam Taluk,
Pudukottai District.



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4.The Block Development Officer,
Thirumayam Panchayat Union,
Thirumayam,
Pudukottai District.

5.M/s.R.R.Crusher,
Represented by its Partner,
R.Rasu.

... 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 encroachments made by the 5th respondent in Survey Nos.427-6, 428, 432/2 and 432/3 situated in Valayavayal Village, Thulayanoor Post, Thirumayam Taluk, Pudukottai District and consequently consider the representation dated 06.08.2019.

For Petitioner : Mr.P.Arun Jayatram

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Govt. Pleader for R1 to R3
Mr.V.Anand for R4
Mr.B.Saravanan 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 encroachments made by the 5th



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respondent in Survey Nos.427-6, 428, 432/2 and 432/3 situated in Valayavayal Village, Thulayanoor post, Thirumayam Taluk, Pudukottai District, by considering the representation of the petitioner dated 06.08.2019.

2. The learned counsel appearing for the petitioner submitted that though the petitioner made a representation on 06.08.2019 to the respondents seeking to remove the aforesaid encroachment, till date, no steps have been taken by the respondents to remove the same. Hence, the petitioner has filed this Writ Petition.

3. The learned Special Government Pleader appearing for the respondents 1 to 3 has produced a communication of the Tahsildar, Thirumayam in Na.Ka.A3/8091/2019, dated 07.10.2021 and submitted that there are encroachments in the place in question and the representation of the petitioner dated 06.08.2019 would be considered and appropriate action will be taken to remove the encroachments, for which, the learned counsel for the petitioner is agreeable.



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4. Recording the above submission, this Writ Petition is disposed of with a direction to the official respondents to consider the representation of the petitioner dated 06.08.2019, by taking into consideration the communication of the Tahsildar dated 07.10.2021 and remove the encroachment 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.]

vsm

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