



W.P.(MD)No.22523 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2022

CORAM

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

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Pandi

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Melur Division (Vellaripatti),
Madurai District.

3.The Inspector of Police,
Kottampatti Police Station,
Madurai District.

4.Nagaraj

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the respondents 1 to 3 to remove the illegal encroachment made by the 4th respondent in Survey No.15/8 to an extent of 0.25.50 situated at Kamboor Village, Melur Taluk, Madurai District and representation given by the petitioner to the respondents on 01.07.2022 within a time stipulated by this Hon'ble Court.



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For Petitioner : Ms.K.Malathi
For Respondents 1 & 2 : Mr.G.V.Vairam Santhosh
Additional Government Pleader
For 3rd Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

* * *

ORDER

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

The petitioner has come forward with this Writ Petition praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the illegal encroachment made by the 4th respondent in Survey No.15/8, measuring an extent of 0.25.50 hectare situated at Kamboor Village, Melur Taluk, Madurai District, based on the representation given by the petitioner to the respondents on 01.07.2022 within a time frame.

2. Heard Ms.K.Malathi, learned counsel for the petitioner and Mr.G.V.Vairam Santhosh, learned Government Pleader, who accepts notice on behalf of the respondents 1 and 2 and Mr.T.Senthil Kumar, Additional Public Prosecutor, who accepts notice on behalf of the third respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



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3. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the 4th respondent is dispensed with.

4. Claiming that when the petitioner was working in Kerala the fourth respondent has encroached the petitioner's property in Survey No.15/8, measuring an extent of 0.25.50 hectare, situated at Kamboor Village, Melur Taluk, Madurai District and it is evident from the survey report dated 10.05.2022, the petitioner submitted a representation to the official respondents on 01.07.2022 and the same, according to the learned counsel for the petitioner, remains unattended.

5. Learned counsel for the petitioner would further submit that though the petitioner has sought for a larger relief, he would be satisfied if a direction is issued to the official respondents to consider the representation of the petitioner dated 01.07.2022, in accordance with law.

6. Considering the limited scope of the prayer now sought for by the petitioner, without expressing any opinion on the



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merits of the claim made by the petitioner either in the representation or in the affidavit filed in support of the Writ Petition, this Writ Petition is disposed of with a direction to the 2nd respondent to consider the representation of the petitioner dated 01.07.2022, after affording an opportunity of hearing to the petitioner and the fourth respondent and pass appropriate orders on merits and in accordance with 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.

[R.M.D., J.] [J.S.N.P., J.]
26.09.2022

Internet : Yes / No
Index : Yes / No
sj

To

- 1.The District Collector,
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and

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sj

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