



W.P(MD) No.22467 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2022

CORAM:

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

W.P.(MD) No.22467 of 2022

Vimala Mary

... Petitioner

-VS-

- 1.The District Collector,
Dindigul, Dindigul District.
- 2.The Tahsildar,
Tahsildar Office, Athur Taluk,
Dindigul District.
- 3.The Block Development Officer,
Athur Union Office, Sempatti,
Dindigul District.
- 4.The Village Panchayat President,
Vakkampatti Village Panchayat,
Vakkampatti, Athur Taluk,
Dindigul District.
- 5.Mr.Mathalaimuthu
- 6.Mrs.Mariammal
- 7.Mr.Dharmaraj



W.P(MD) No.22467 of 2022

8.Mrs.Sesammal

... Respondents

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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 made by the respondents 5 to 8 on the public pathway situated in Survey No.185/7, South Street, Vakkampatti Village, Athur Taluk, Dindigul District based on the petitioner's representation dated 12.09.2022 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.R.Karunanithi

For Respondent : Mr.N.GA.Nataraj
Government Advocate
for R1 to R3

ORDER

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

Mr.R.Karunanithi, learned counsel appearing for the petitioner takes notice for the first respondent and Mr.N.GA.Nataraj, learned Government Advocate, takes notice for the respondents 1 to 3. By consent of both the parties, the Writ Petition is taken up for final disposal at the time of admission itself.



W.P(MD) No.22467 of 2022

2. The prayer made in this Writ Petition is to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachments made by the respondents 5 to 8 on the public pathway in Survey No.185/7, South Street, Vakkampatti Village, Athur Taluk, Dindigul District, based on the petitioner's representation dated 12.09.2022, within a time frame.

3. Pointing out that the respondents 5 to 8 had encroached the common pathway in Survey No.185/7, by keeping barrel, wood and iron sheets, thereby caused great inconvenience to the public at large, the petitioner has submitted representations dated 01.09.2022 and 12.09.2022, to the respondents 1 to 4, to remove such encroachments, but no action was taken. Hence, this writ petition.

4. On the other hand, the learned Government Advocate appearing for the respondents 1 to 3, produced a communication of the second respondent – Tahsildar, Athur Taluk, dated 22.09.2022, addressed to him and submitted that encroachments were identified and already notices have been issued to the encroachers and the second respondent has also requested the third respondent / Block Development Officer,



W.P(MD) No.22467 of 2022

Athur, to remove the encroachments and the action taken report will be communicated to the petitioner within a period of four weeks.

5. Recording the above submission, this Writ Petition stands closed. No costs.

[R.M.D., J.] [J.S.N.P., J.]
23.09.2022

Index : Yes / No
Internet : Yes / No
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To

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3. The Block Development Officer,
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W.P(MD) No.22467 of 2022

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W.P.(MD) No.22467 of 2022

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