



W.P.(MD) No.24731 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.24731 of 2022

V.Muthiayan

... Petitioner

Vs.

- 1.The District Collector,
Collectorate Building,
Madurai District.
- 2.The Tahsildar,
Usilampatti,
Madurai.
- 3.The Revenue Divisional Officer,
Usilampatti Taluk,
Madurai District.
- 4.The Block Development Officer,
Usilampatti,
Madurai District.



WEB C 5.Sankili Mooppar

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... 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 consider the petitioner's representation dated 11.08.2022 to remove the encroachment which made by the 5th respondent on flow of path of (Topo Graphical detail Stream) விளக்கியல் ஓடை which is originates from Nagamalai Forest, Usilampatti Taluk, Madurai District.

For Petitioner : Mr.S.Moorthy

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

Mr.V.Nirmal Kumar,
Government Advocate for R4

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 consider the petitioner's representation dated 11.08.2022, to remove the encroachment made by the 5th respondent by



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curtailing the free flow of Topo Graphical Stream which originates from Nagamalai Forest, Usilampatti Taluk, Madurai District.

2. Heard Mr.S.P.Maharajan, learned Special Government Pleader, who takes notice for respondents 1 to 3 and Mr.V.Nirmal Kumar, learned Government Advocate, who takes notice for the fourth respondent. In view of the nature of the order proposed to be passed, notice to the fifth respondent is dispensed with.

3. The learned counsel appearing for the petitioner submitted that though the petitioner made a representation on 11.08.2022 to the respondents 1 to 4 seeking to remove the aforesaid encroachment, till date, no steps have been taken by the respondents to remove the said encroachment. Hence, the petitioner has filed this Writ Petition.

4. The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the representation of the petitioner dated 11.08.2022 would be considered by the official respondents and appropriate action will be taken to



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remove the encroachment, if any, for which, the learned counsel for the petitioner is agreeable.

5. Recording the above submission, this Writ Petition is disposed of with a direction to the second respondent to consider and dispose of the representation of the petitioner dated 11.08.2022, on merits and in accordance with law. If there is any encroachment in the place in question, the authorities concerned shall remove the same, 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 twelve (12) weeks from the date of receipt of a copy of this order. No costs.

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

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vsm



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