



W.P.(MD)No.22703 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.09.2022

CORAM

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

W.P(MD)No.22703 of 2022

S.P.Muthurakku

Vs.

... Petitioner

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The District Revenue Officer,
Sivagangai District,
Sivagangai.
- 3.The Revenue Divisional Officer,
Devakottai Division,
Devakottai,
Sivagangai District.
- 4.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.
- 5.The Block Development Officer (V.P.),
Kallal Panchayat Union,
Kallal,
Sivagangai District.
- 6.The President,
Alangudi Panchayat,
Thiruppathur Taluk,
Sivagangai District.



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7.Ulaganathan @ Ulgappan

8.Poornam

9.Pandi

10.Adhi

11.Pandian

12.Selvaraj

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing Respondents 1 to 6 herein to remove the encroachment made by the Respondents 7 to 12 herein in Survey No.141/15, at Alangudi, Kallal Panchayat Union, Thiruppathur Taluk, Sivagangai District, in the light of the notice issued by the 4th respondent herein in Na.Ka.No.A7/95/2019 dated 08.08.2019, within a stipulated time as fix by this Honble Court.

For Petitioner : Mr.S.Bharathy Kannan

For Respondents 1 to 5 : Mr.V.Nirmal Kumar
Government Advocate

* * *

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



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to 6 herein to remove the encroachment made by the Respondents 7 to 12 herein in Survey No.141/15, at Alangudi, Kallal Panchayat Union, Thiruppathur Taluk, Sivagangai District, in the light of the notice issued by the 4th respondent herein in Na.Ka.No.A7/95/2019 dated 08.08.2019, within a time frame.

2. Heard Mr.S.Bharathy Kannan, learned counsel for the petitioner and Mr.V.Nirmal Kumar, learned Government Advocate appearing for the respondents 1 to 5. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 6 to 12 is dispensed with.

4. By producing the proceedings of the Tahsildar - 4th respondent in Na.Ka.No.A5/2750/2022, dated 27.09.2022, addressed to the learned Government Advocate, the learned Government Advocate, on instructions, submitted that steps are being taken to remove encroachments in Survey No.141/15, at



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Alangudi, Kallal Panchayat Union, Thiruppathur Taluk, Sivagangai District, through the Village Panchayat, after conducting a survey.

5. Recording such statement of the learned Government Advocate, this Writ Petition is closed, with a direction to the 4th respondent to issue notice and conduct survey in the presence of the petitioner, respondents 7 to 12 and any other parties concerned and to take necessary action for removal of encroachment on the public pathway in Survey No.141/15, at Alangudi, Kallal Panchayat Union, Thiruppathur Taluk, Sivagangai District, by following due process of 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.]
28.09.2022

Internet : Yes / No
Index : Yes / No
sj

To

1.The District Collector,
Sivagangai District,
Sivagangai.



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- 2.The District Revenue Officer,
Sivagangai District,
Sivagangai.
- 3.The Revenue Divisional Officer,
Devakottai Division,
Devakottai,
Sivagangai District.
- 4.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.
- 5.The Block Development Officer (V.P.),
Kallal Panchayat Union,
Kallal,
Sivagangai District.



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R.MAHADEVAN, J.

and

J.SATHYA NARAYANA PRASAD, J.

sj

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