



W.P.(MD) No.14810 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.14810 of 2018

R.Poopandian

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Sub-Collector,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

4.S.Athiyaman

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus by directing the respondent Nos.1 to 3 to remove the encroachment put up by the 4th respondent at the public pathway which runs from south to north in Survey No.109/1, Tharmarajapuram, Manjalpattinam, Emaneshwaram post, Paramakudi, Ramanathapuram District as expeditiously as possible, within the time stipulation as prescribed by this Court.

For Petitioner : Mr.R.Anand

For Respondents : Mr.V.Nirmal Kumar
Govt. Advocate for R1 to R3
No appearance 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 respondent Nos.1 to 3 to remove the encroachment put up by the fourth respondent at the public pathway, which runs from South to North in Survey No.109/1, Tharmarajapuram, Manjalpattinam, Emaneshwaram post, Paramakudi, Ramanathapuram District, within a time frame.



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2. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 3 has produced a communication of the Thasildar, Paramakudi, in Na.Ka.No.A3/103/2021, dated 10.10.2022, wherein the encroachment made by the fourth respondent is affirmed and submitted that if some time is granted to the official respondents to remove the encroachments, necessary action would be taken by them to remove the same, for which, the learned counsel for the petitioner is agreeable.

3. In view of the above submission, this Writ Petition is disposed, directing the official respondents to remove the encroachments, after affording an opportunity of hearing to all the parties concerned and by following due process of law. The said exercise shall be completed within a period of three weeks from the date of receipt of a copy of this order. No costs.

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

vsm

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J.SATHYA NARAYANA PRASAD, J.

vsm

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