



W.P.(MD) No.23160 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.23160 of 2022

A.Ashokkumar

... Petitioner

Vs.

1.The District Collector,
Collectorate,.
Theni.

2.The Revenue Divisional Officer,
Theni.

3.The Tahsildar,
Taluk Office,
Theni Taluk.

4.P.Vijayalakshmi

... 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 3 to take immediate action to remove the encroachments made on the Plan-Marked Details, by the 4th respondent, runs between S.Nos.288-289, 201-200, 202-197, 199, 205, 196, 195, 194 and 185 in Koduvilarpatti Village, Theni Taluk and District based on the representation dated 14.06.2022.

For Petitioner : Mr.N.Mohan

For Respondents : Mr.S.P.Maharajan,
Spl. Government Pleader 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 respondents 1 to 3 to take immediate action to remove the encroachments made by the 4th respondent in the Cart Track, runs between S.Nos.288-289, 201-200, 202-197, 199, 205, 196, 195, 194 and 185 in Koduvilarpatti Village, Theni Taluk and District, based on the representation of the petitioner dated 14.06.2022.



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2. It is the claim of the petitioner that the fourth respondent has made the aforesaid encroachment in the place in question and in this regard, though the petitioner made a representation on 14.06.2022 to the respondents 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.

3. The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the representation of the petitioner dated 14.06.2022, would be considered by the official respondents and appropriate action will be taken to remove the encroachment, if any, by due process of law within a time frame, for which, the learned counsel for the petitioner is agreeable.

4. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to consider and dispose of the representation of the petitioner dated 14.06.2022, on merits and in accordance with law. If there is any encroachment in the place in question, the authorities



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concerned shall remove the same, after affording sufficient opportunity to all the parties and by following due process of law. Such an exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

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

24.11.2022

vsm



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