



W.P.(MD) No.23123 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2022

CORAM:

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

W.P.(MD) No.23123 of 2022

Shanmugapandiyan

... Petitioner

-vs-

- 1.The District Collector
Office of the District Collector
Madurai District, Madurai
- 2.The Revenue Divisional Officer
Thirumangalam
Madurai District
- 3.The Tahsildar
Thirupparankundram
Madurai District
- 4.The Assistant Director
Village Panchayat
Madurai District
- 5.The Block Development Officer
Thirupparankundram
Madurai District



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6.The Village Administrative Officer
Perunkudi Village
Madurai District

7.The Panchayat President
Perungudi Panchayat
Madurai District

8.Ganesan

9.Senthamarai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 7 herein to remove the illegal encroachments made by the respondents 8 and 9 in respect of the publith pathway situated in Survey No.332/23, at Amman Kovil Street, Perungudi Village, Thirupparankundram Taluk, Madurai District, on the basis of the petitioner's representation dated 03.09.2022 and 12.09.2022, within the time stipulated by this Court.

For Petitioner : Mr.B.Arun

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader for R1 to R6



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ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

Mr.G.V.Vairam Santhosh, learned Additional Government Pleader, takes notice for the respondents 1 to 6.

2. Since the writ petition is disposed of at the admission stage itself and considering the nature of relief sought for by the petitioner, notice to the private respondents is dispensed with.

3. With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. The prayer in the writ petition is for issuance of a writ of mandamus directing the respondents 1 to 7 to remove the illegal encroachments made by the respondents 8 and 9 in the public pathway in Survey No.332/23, Amman Kovil Street, Perungudi Village, Thirupparankundram Taluk, Madurai District, on the basis of the petitioner's representations dated 03.09.2022 and 12.09.2022, within the time stipulated by this Court.



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5. The learned Additional Government Pleader appearing for the respondents 1 to 6, on instructions, submitted that based on the petitioner's representations dated 03.09.2022 and 12.09.2022, necessary instructions have been given to the authorities concerned to inspect the area in question, ascertain as to whether there is any encroachment as projected by the petitioner in his representations, and if any encroachment is found, to remove the same forthwith.

6. Recording the above submission of the learned Additional Government Pleader and directing the authorities concerned to inspect the area in question, ascertain as to whether there is any encroachment as projected by the petitioner in his representations, and if any encroachment is found, to remove the same, in the manner known to law, with in a period of eight (8) weeks from the date of receipt of a copy of this order, after giving sufficient opportunity to all the parties concerned, the writ petition is disposed of. No costs.

[R.M.D., J.] [J.S.N.P., J.]
30.09.2022

Index : Yes / No
Internet : Yes / No

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