



W.P(MD)No.23398 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.10.2022

CORAM:

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

W.P(MD)No.23398 of 2022

P.Murugan

... Petitioner

VS.

- 1.The District Collector,
District Collectorate,
Tenkasi,
Tenkasi District.
- 2.The Tahsildar,
Alangulam Taluk,
Tenkasi District.
- 3.The Taluk Surveyor,
Alangulam Taluk,
Tenkasi District.
- 4.The Executive Officer,
Keelappavoor Town Panchayat,
Alangulam Taluk,
Tenkasi District.
- 5.The Sub-Inspector of Police,
Poovoorchatram Police Station,
Tenkasi District.
- 6.Murugan

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7.Balamurugan
8.Suresh
9.Arumugam
10.Thangaraj
11.Karuppiyah
12.Rajan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 5 herein to remove the illegal encroachments made by respondents 6 to 12 herein, after conducting field survey at S.Nos.158/1 and 158/40 at Keelappavoor Village Bit – I, Alangulam Taluk, Tenkasi District within the time frame stipulated by this Court.

For Petitioner	: Mr.T.Lajapathi Roy
For RR 1 to 4	: Mr.P.Thilak Kumar Government Pleader
For R – 5	: Mr.T.Senthil Kumar Additional Public Prosecutor

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The prayer made in this Writ Petition is to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the illegal encroachments made by respondents 6 to 12, after conducting field survey at S.Nos.158/1 and



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WEB C 158/40 at Keelappavoor Village Bit – I, Alangulam Taluk, Tenkasi District within the time frame stipulated by this Court.

2.Mr.P.Thilak Kumar, learned Government Pleader takes notice for the respondents 1 to 4 and Mr.T.Senthil Kumar, learned Additional Public Prosecutor takes notice for the fifth respondent. Having regard to the nature of the order proposed to be passed, notice to the respondents 6 to 12 is dispensed with.

3.According to the petitioner, originally, Survey Nos.158/1 and 158/40 at Keelappavoor Village Bit I, Alangulam Taluk, Tenkasi District are classified as 'Public Roads' and maintained by the fourth respondent, in which, the respondents 6 to 12 have put up some encroachments. Hence, the petitioner submitted a representation dated 02.08.2022 to the first respondent seeking to remove the said encroachments made by the respondents 6 to 12. But, so far, no steps have been taken to remove the said encroachments. Hence, this Writ Petition.



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4. The learned Government Pleader appearing for the respondents 1 to 4 submitted that the representation of the petitioner, dated 02.08.2022 will be disposed of by the respondents 1 to 4 in accordance with law within a time frame, for which course, the learned counsel appearing for the petitioner is agreeable.

5. Thus, recording the above submissions, without expressing any opinion on the merits of the claim made by the petitioner either in the representation or in the affidavit filed in support of the Writ Petition, this Writ Petition is disposed of with a direction to the respondents 1 to 4 to consider the representation of the petitioner, dated 02.08.2022, after affording an opportunity of hearing to the petitioner, respondents 6 to 12 and all other parties concerned and pass appropriate orders on merits and in accordance with 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.]
11.10.2022

Index : Yes / No
Internet : Yes
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ORDER MADE IN
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