



W.P(MD)No.22292 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2022

CORAM :

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

W.P(MD)No.22292 of 2018

K.Palanichamy

... Petitioner

VS.

1.The District Collector,
Collectorate Office,
Dindigul.

2.The Tahsildar,
Taluk Office,
Ottanchatram,
Dindigul District.

3.The Block Development Officer,
Panchayat Union Office,
Ottanchatram,
Dindigul District.

4.Palaniammal

5.Perumal Pillai

6.Rajendran

7.Malaichamy @ Palanichamy

8.V.Kumaravel

9.Vellichamy

10.Thenmozhi

... Respondents



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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 3 to remove the encroachment made in Survey No.231/1 at Athi Kombai Village, Oddanchatram Taluk, Dindigul District within the stipulated time.

For Petitioner	: Mr.S.Kumar
For RR 1 & 2	: Mr.N.GA.Nataraj Government Advocate
For R – 3	: Mr.A.Thiyagarajan
For RR 4 to 6	: No appearance

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 3 to remove the encroachment made in Survey No.231/1 at Athi Kombai Village, Oddanchatram Taluk, Dindigul District.

2. Seeking removal of encroachment made in Survey No.231/1 at Athi Kombai Village, Oddanchatram Taluk, Dindigul District, the petitioner submitted a representation, dated 20.08.2018 before the respondents 1 to



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WEB 3.0 3. Since the said representation has not been considered so far, the petitioner has come up with the present Writ Petition.

3. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 3 submitted that the encroachments made in the lands in question had already been removed by the authorities, such submission is stoutly refuted by the learned counsel appearing for the petitioner.

4. In view of the above, without going into the merits of the claim made by the petitioner, the respondents 1 to 3 are directed to consider the representation of the petitioner, dated 20.08.2018 and conduct a survey in the place in question. If there is any encroachment, the same shall be removed by following due process of law, after affording due opportunity of hearing to the petitioner as well as all the parties concerned including the respondents 4 to 10. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.



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5.The Writ Petition is disposed of with the above direction. No costs.

[R.M.D.,J.] & [J.S.N.P.,J.]
19.09.2022

Index : Yes / No
Internet : Yes
ps

To

- 1.The District Collector,
Collectorate Office,
Dindigul.
- 2.The Tahsildar,
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Ottanchatram,
Dindigul District.
- 3.The Block Development Officer,
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R.MAHADEVAN,J.
and
J.SATHYA NARAYANA PRASAD,J.

ps

ORDER MADE IN
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