



W.P.(MD)No.23711 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2022

CORAM

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

W.P(MD)No.23711 of 2022

Munichamy

Vs.

... Petitioner

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

3.The Thashildar,
Manamelkudi,
Pudukkottai District.

4.The Block Development Officer,
Manamelkudi,
Pudukkottai District.

5.Natarajan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, to direct the 1st respondent to direct the 3rd respondent to remove the encroachment made by the 5th respondent and protect the public road in Natham Survey No. 35/8 of Thirunellivayal Village, Manamelkudi Taluk, Pudukkottai



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District based on the petitioner's representation dated 05.09.2022 within the period of stipulated time limit as fixed by this Hon'ble Court.

For Petitioner : Mr.NA.Palaniyandi

For Respondents 1 to 4 : Mr.N.GA.Nataraj
Government Advocate

* * *

ORDER

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

The petitioner has come forward with this writ petition praying to issue a Writ of Mandamus, directing the 1st respondent to direct the 3rd respondent to remove the encroachment made by the 5th respondent and to protect the public road in Natham Survey No.35/8 of Thirunellivayal Village, Manamelkudi Taluk, Pudukkottai District based on his representation dated 05.09.2022, within a time frame.

2. Heard Mr.NA.Palaniyandi, learned counsel for the petitioner and Mr.N.GA.Nataraj, learned Government Advocate, who accepts notice on behalf of the respondents 1 to 4. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

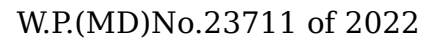


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3. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the 5th respondent is dispensed with.

4. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 4, produced the proceedings of the Tahsildar - 3rd respondent in Na.Ka.No.873/2022/Aa9, dated 13.10.2022, addressed to him and submitted that pursuant to the representation of the petitioner, notice was issued to the 5th respondent under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 and appropriate action will be taken for removal of encroachment made by the 5th respondent.

5. Recording the said submission of the learned Government Advocate appearing for the respondents 1 to 4, this Writ Petition is disposed of with a direction to the respondents 3 and 4 to take necessary action for removal of the encroachment in the public road in Natham Survey No.35/8 of Thirunellivayal Village, Manamelkudi Taluk, Pudukkottai District, after affording an opportunity of hearing to the petitioner, 5th respondent and all other parties concerned and by following due process of 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.

14.10.2022

To

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.
- 3.The Tahsildar,
Manamelkudi,
Pudukkottai District.
- 4.The Block Development Officer,
Manamelkudi,
Pudukkottai District.



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R.MAHADEVAN, J.

and

J.SATHYA NARAYANA PRASAD, J.

sj

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