



W.P.(MD) No.22468 of 2018

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.22468 of 2018

K.Ramasubramanian

... Petitioner

-Vs-

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Peraiyur Taluk, Madurai District.

3.Ramar

4.Saraswathi ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 herein to remove the encroachment made by the respondents 3 & 4 herein in S.No.59/1 in Keelapatti Village, Peraiyur Taluk, Madurai District in accordance with law.

Page 1 of 5



W.P.(MD) No.22468 of 2018

WEB COPY

For Petitioner : Mr.M.Dinesh
For R1 & R2 : Mr.S.P.Maharajan
Special Government Pleader
For R3 & R4 : No appearance

ORDER

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

This Writ Petition has been filed, seeking a direction to the respondents 1 and 2 to remove the encroachment made by the respondents 3 and 4 in S.No.59/1 in Keelapatti Village, Peraiyur Taluk, Madurai District.

2.The grievance of the petitioner is that adjacent to his land, there is a Government Poramboke land in S.No.59/1. The respondents 3 and 4 have encroached the said land to an extent of 11 cents and constructed shops therein. In this regard, though the petitioner made a representation dated 05.09.2018 to the respondents 1 and 2 to remove the encroachment, the same was not considered. Hence, this Writ Petition.

Page 2 of 5



W.P.(MD) No.22468 of 2018

WEB COPY

3.The learned Special Government Pleader for the respondents 1 and 2 would submit that the representation of the petitioner dated 05.09.2018 will be considered and necessary order will be passed therein within a time frame to be fixed by this Court, for which course, the learned counsel for the petitioner is agreeable.

4.In view of the above said submission, without going into the merits of the claim made by the petitioner, we direct the respondents 1 and 2 to consider the representation made by the petitioner dated 05.09.2018 on merits and in accordance with law. If there is any encroachment, the authorities concerned shall remove the same, after giving sufficient opportunity of hearing to all the parties concerned 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.



W.P.(MD) No.22468 of 2018

WEB COPY

5. With the above direction, this Writ Petition stands disposed of. No costs.

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

11.10.2022

Index : Yes / No

Internet : Yes / No

Myr

To:

1. The District Collector,
Madurai District, Madurai.

2. The Tahsildar,
Peraiyur Taluk, Madurai District.



WEB COPY



W.P.(MD) No.22468 of 2018

R.MAHADEVAN, J.

AND

J.SATHYA NARAYANA PRASAD, J.

Myr

W.P.(MD)No.22468 of 2018

11.10.2022

Page 5 of 5