



W.P.(MD) No.22384 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.22384 of 2021

Muthu Venkatachalam

... Petitioner

-Vs-

1.The District Collector,
Dindigul District, Dindigul.

2.The Thasildar,
Dindigul Taluk,
Dindigul District.

3.Selvaraj

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation dated 02.12.2021 and to take appropriate steps to remove the encroachments made by the 3rd respondent comprised in Survey Nos.515 & 532, Vijayashree Nagar, Seelpadi Village, Dindigul District, within a stipulated time as prescribed by this Court.

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For Petitioner : Mr.A.Chandrakumar
For R1 & R2 : Mr.V.Nirmal Kumar,
Government Advocate
For R3 : No Appearance

ORDER

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

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to consider the representation of the petitioner dated 02.12.2021 and to take appropriate action for removal of the encroachment made by the 3rd respondent in Survey Nos.515 & 532, Vijayashree Nagar, Seelpadi Village, Dindigul District, within a time frame.

2.The case of the petitioner is that the land in question is a public road. Claiming that the 3rd respondent has encroached the said road, the petitioner made a representation dated 02.12.2021 to the respondents 1 and 2, seeking removal of such encroachment and finally, no heed to it was paid, the petitioner has filed this Writ Petition.

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3.The learned Government Advocate appearing for the respondents 1 and 2 would submit that the representation of the petitioner dated 02.12.2021 would be considered on merits and appropriate action would be taken for removal of encroachment, if any, by due process of law.

4.Considering the limited scope of the prayer, which lies in a narrow compass and recording the aforesaid submission of the learned Government Advocate, this Court directs the authorities concerned to consider the representation of the petitioner dated 02.12.2021 and pass appropriate orders on merits and in accordance with law. If there is any encroachment as projected by the petitioner, the same shall be removed, after affording sufficient opportunity 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.



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

[R.M.D., J.] & [J.S.N.P., J.]
28.10.2022

Index : Yes / No
Internet : Yes / No

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To

1.The District Collector,
Dindigul District, Dindigul.

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