



W.P.(MD) No.24199 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.10.2022

CORAM:

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

W.P.(MD) No.24199 of 2022

Ashokkumar

... Petitioner

-vs-

- 1.The District Collector
Trichy District, Trichy
- 2.The Revenue Divisional Officer
Musiri Revenue Division Office
Musiri, Trichy District
- 3.The Tahsildar
Musiri Taluk Office
Musiri, Trichy District
- 4.The Block Development Officer
Thathayangarpettai Union Office
Musiri Taluk, Trichy District
- 5.The President
Sittilarai Village Panchayat
Sittilarai Village, Musiri Taluk
Trichy District



W.P.(MD) No.24199 of 2022

6.Kanagaraj

7.Sakthivel

8.Annadurai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to remove the encroachment made by the respondents 6 to 8 in Survey Nos.150/1A-37, 150/1A12, 150/1A23 and in Survey Nos.151 and 152 situated in Sittilarai Village, Musiri Taluk, Trichy District, on the basis of the petitioner's representation dated 28.01.2022.

For Petitioner : Mr.Arunraj.K.

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R3
Mr.G.V.Vairam Santhosh
Additional Government Pleader for R4 & R5

ORDER

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

Mr.S.P.Maharajan, learned Special Government Pleader, takes notice for the respondents 1 to 3 and Mr.G.V.Vairam Santhosh, learned Additional Government Pleader, takes notice for the respondents 4 and 5.



W.P.(MD) No.24199 of 2022

WEB COPY

2. Since the writ petition is disposed of at the admission stage itself and considering the nature of the order proposed to be passed, notice to the private respondents is dispensed with.

3. With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. The prayer in the writ petition is for issuance of a writ of mandamus directing the respondents 1 to 5 to remove the encroachments made by the respondents 6 to 8 in Survey Nos.150/1A-37, 150/1A12, 150/1A23, 151 and 152 of Sittilarai Village, Musiri Taluk, Trichy District, based on the petitioner's representation dated 28.01.2022.

5. The grievance of the petitioner is that though he made a representation to the official respondents as early as on 28.01.2022 seeking removal of the encroachments in the aforesaid survey numbers, till date, the same has not been considered.

6. The learned Government Pleaders appearing for the official respondents, on instructions, submitted that the petitioner's representation



W.P.(MD) No.24199 of 2022

dated 28.01.2022 would be considered in the manner known to law and appropriate action will be taken for removal of encroachments, if any, by due process of law, within a time frame

7. In view of the above, without going into the merits of the claim made by the petitioner, the authority concerned is directed to consider the petitioner's representation dated 28.01.2022 and pass appropriate orders, if not already disposed of, on merits and in accordance with law. If there is any encroachment as pointed out by the petitioner, the same shall be removed, after giving due notice and sufficient opportunity to all the parties concerned and by following due process of law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. With the above direction, this writ petition is disposed of. No costs.

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

20.10.2022

Index : Yes / No
Internet : Yes / No

krk



W.P.(MD) No.24199 of 2022

WEB COPY

To:

- 1.The District Collector,
Trichy District, Trichy.
- 2.The Revenue Divisional Officer,
Musiri Revenue Division Office,
Musiri, Trichy District.
- 3.The Tahsildar,
Musiri Taluk Office,
Musiri, Trichy District.
- 4.The Block Development Officer,
Thathayangarpettai Union Office,
Musiri Taluk, Trichy District.
- 5.The President,
Sittilarai Village Panchayat,
Sittilarai Village, Musiri Taluk,
Trichy District.



WEB COPY



W.P.(MD) No.24199 of 2022

R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

krk

W.P.(MD) No.24199 of 2022

20.10.2022