



W.P.(MD) No.24788 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.24788 of 2022

P.VettumPerumal

... Petitioner

-Vs-

1.The District Collector,
Tirunelveli District.

2.The Tahsildar,
Thisaiyanvilai Taluk,
Tirunelveli.

3.The Block Development Officer,
Valliyur, Tirunelveli.

4.The President,
Kovankulam Panchayat Union,
Tirunelveli.

5.V.Selvaraj

6.T.Vijayan

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the

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encroachment in the public road situated at S.No.52/5H3 and S.No.52/4E, Nadu Theru (West), Thisaiyanvilai Taluk, Tirunelveli within a particular time frame fixed by this Court.

For Petitioner : Mr.L.Jaivenkatesh
For R1 and R2 : Mr.V.Nirmal Kumar,
Government Advocate.
For R3 and R4 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader.

ORDER

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

This Writ Petition has been filed, seeking a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment in the public road, situated at S.No.52/5H3 and S.No.52/4E, in Nadu Theru (West), Thisaiyanvilai Taluk, Tirunelveli, within a time frame.

2. Mr.V.Nirmal Kumar, learned Government Advocate takes notice for the respondents 1 and 2 and Mr.G.V.Vairam Santhosh, learned Additional

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Government Pleader takes notice for the respondents 3 and 4. Considering the nature of the order proposed to be passed, notice to the respondents 5 and 6 is dispensed with.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4. Today, when the matter was taken up for hearing, the learned Government Advocate appearing for the respondents 1 and 2, on instructions, submitted that 50% of the encroachments in the place in question have been removed and the remaining encroachment would be removed by the authorities concerned within a time frame, for which, the learned counsel for the petitioner is agreeable.

5. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to remove the remaining encroachment in the place in question, after affording sufficient opportunity to



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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. No costs.

[R.M.D., J.] & [J.S.N.P., J.]
01.11.2022

Index : Yes / No

Internet : Yes / No

VSM



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