



W.P.(MD)No.25260 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.11.2022

WEB COPY

CORAM

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

W.P(MD)No.25260 of 2022

R.Kannan

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Commissioner,
Kumbakonam Municipal Corporation,
Kumbakonam,
Thanjavur District.

3.The Tahsildar,
Kumbakonam Taluk,
Kumbakonam,
Thanjavur District.

4.Inbaraj

5.Hasan

6.Ramprasath

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the Respondents 1 to 3 herein to initiate appropriate action to remove



W.P.(MD)No.25260 of 2022

the illegal encroachments on the public pathways made in Ward No. 4, Block No.24, T.S.R.No.1659 situated at Ramasamy Kovil Sannathi Street, by the 4th Respondent in S.No.924 adjacent to the Gowri Krishna Hotel, near the Someswaran Kovil gate by the 6th respondent and the encroachment on the sewage drain in Sastra College Road by the 5th Respondent herein on the basis on the Petitioner's representation dated 15.10.2022 within a stipulated time that may be fixed by this Hon'ble Court.

For Petitioner : Mr.B.Anandan
For Respondents 1 & 3 : Mr.P.Thilak Kumar
Special Government Pleader
For 2nd Respondent : Mr.M.Rajarajan
Standing Counsel

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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 Respondents 1 to 3 herein to initiate appropriate action to remove the illegal encroachments on the public pathway made in Ward No.4, Block No.24, T.S.R.No.1659 situated at Ramasamy Kovil Sannathi Street, by the Respondents 4 to 6, on the basis of his representation dated 15.10.2022, within a time frame.



W.P.(MD)No.25260 of 2022

2. Heard Mr.B.Anandan, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the respondents 1 & 3 and Mr.M.Rajarajan, learned Standing Counsel, who accepts notice on behalf of the second respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 4 to 6 is dispensed with.

4. Learned Government Pleader appearing for the respondents 1 and 3 and the learned Standing Counsel appearing for the second respondent, on instructions, submitted that some of the encroachments on the public pathway in Ramasamy Kovil Sannathi Street, Ward No.4, Block No.24, T.S.R.No.1659, Kumbakonam, have already been removed and for removing the remaining encroachments, the authorities concerned require eight weeks time.



W.P.(MD)No.25260 of 2022

5. Recording the said submissions of the learned Government Pleader appearing for the respondents 1 and 3 and the learned Standing Counsel for the second respondent, this Writ Petition stands disposed of, with a direction to the second respondent to remove the remaining encroachments on the public pathway in Ramasamy Kovil Sannathi Street, Ward No.4, Block No. 24, T.S.R.No.1659, Kumbakonam, after affording an opportunity of hearing to the petitioner, respondents 4 to 6 and any 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.

[R.M.D., J.] [J.S.N.P., J.]
08.11.2022

Internet : Yes / No
Index : Yes / No
sj

To
1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Tahsildar,
Kumbakonam Taluk,
Kumbakonam,
Thanjavur District.



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W.P.(MD)No.25260 of 2022

R.MAHADEVAN, J.

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sj

W.P(MD)No.25260 of 2022

08.11.2022