



W.P.(MD) No.25330 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD)No.25330 of 2022

R.Murugesan

... Petitioner

-Vs-

- 1.The District Collector,
Pudukottai District,
Pudukottai.
- 2.The Tahsildar,
Ponnamaravathy Taluk Office,
Ponnamaravathy,
Pudukottai District.
- 3.The Block Development Officer,
Ponnamaravathy Union Panchayat,
Ponnamaravathy,
Pudukottai District.
- 4.The President,
Nagarapatti Village Panchayat,
Ponnamaravathy Taluk,
Pudukottai District.

Page 1 of 6



W.P.(MD) No.25330 of 2022

WEB COPY 5.Alagusamy

... 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 encroachment made by the 5th respondent herein on the bank of “Oorani” situated in Survey No.84/2, Nagarapatti village, Ponnamaravathy Taluk, Pudukottai District, based on the petitioner's representation dated 20.01.2022

For Petitioner : Mr.G.Gomathi Sankar
For R1 to R4 : Mr.P.Thilak Kumar,
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 made by the 5th respondent on the bank of “Oorani” in Survey No.84/2, Nagarapatti village, Ponnamaravathy Taluk, Pudukottai District, based on the petitioner's representation dated 20.01.2022

Page 2 of 6



W.P.(MD) No.25330 of 2022

WEB COPY

2. Heard Mr.G.Gomathi Sankar, learned counsel appearing for the petitioner, Mr.P.Thilak Kumar, Government Pleader, who takes notice for the respondents 1 to 4. Considering the nature of the order proposed to be passed in this Writ Petition, notice to the fifth respondent is dispensed with.

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

4. It is the claim of the petitioner that the fifth respondent has encroached the land in Oorani in the aforesaid survey number and in this regard, the petitioner made a representation on 20.01.2022 seeking removal of the aforesaid encroachment. However, till date, the respondents have not taken any steps to remove the encroachment. Hence, the petitioner has filed this Writ Petition.

5. The learned Government Pleader appearing for the respondents 1 to 4, on instructions, submitted that based on the representation of the petitioner dated 20.01.2022, survey had been completed, wherein it was found that 3 cents

Page 3 of 6



W.P.(MD) No.25330 of 2022

of land in Oorani have been encroached by the fifth respondent. He further submitted that necessary steps are being taken to remove the said encroachment.

6. The aforesaid submission is not refuted by the learned counsel for the petitioner.

7. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to remove the aforesaid encroachment, 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 twelve (12) 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

Index : Yes / No
Internet : Yes / No
VSM

Page 4 of 6



WEB COPY



W.P.(MD) No.25330 of 2022

To

- 1.The District Collector,
Pudukottai District,
Pudukottai.
- 2.The Tahsildar,
Ponnamaravathy Taluk Office,
Ponnamaravathy,
Pudukottai District.
- 3.The Block Development Officer,
Ponnamaravathy Union Panchayat,
Ponnamaravathy,
Pudukottai District.
- 4.The President,
Nagarapatti Village Panchayat,
Ponnamaravathy Taluk,
Pudukottai District.



WEB COPY



W.P.(MD) No.25330 of 2022

R.MAHADEVAN, J.

AND

J.SATHYA NARAYANA PRASAD, J.

VSM

W.P.(MD)No.25330 of 2022

08.11.2022

Page 6 of 6