



W.P.(MD) No.25431 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.11.2022

CORAM:

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

W.P.(MD) No.25431 of 2022

Balamurugan

... Petitioner

-vs-

- 1.The District Collector
Madurai
Madurai District
- 2.The Tahsildar
Madurai North Taluk
Madurai District
- 3.The Executive Officer
Paravai Town Panchayat
(Selection Grade)
Madurai
- 4.Chithra
- 5.C.Raja



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6.Gujarat Heavy Chemicals Pvt., Ltd.,
rep.by its Power of Attorney N.Kumar
Anna Nagar
Paravai-Bit II
Samayanallur Post
Madurai-625 402

7.Kalyanasundaram

8.Gnanachandran

9.Central Mani

10.Thiyagarajan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 3 to remove the encroachments made by the respondents 4 to 10 and any others in Government Poramboke land in Survey Nos.111/1, 127, 67, 101, 112 and 69/1, situated in Paravai Bit-II, Madurai North Taluk, Madurai District.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 & R2
Mr.S.P.Maharajan
Special Government Pleader for R3



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ORDER

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

Mr.P.Thilakkumar, learned Government Pleader, takes notice for the respondents 1 & 2 and Mr.S.P.Maharajan, learned Special Government Pleader, takes notice for the third respondent.

2. Since the writ petition is disposed of at the admission stage itself and in view of 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 3 to remove the encroachments made by the respondents 4 to 10 and others in the Government Poramboke land in Survey Nos.111/1, 127, 67, 101, 112 and 69/1 of Paravai Bit-II Village, Madurai North Taluk, Madurai District.



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5. The grievance of the petitioner is that though he made several representations, dated 27.05.2022, 30.05.2022, 22.09.2022 and 03.10.2022, to the respondents 1 to 3 seeking removal of the encroachments made by the private respondents in the aforesaid survey numbers, till date the same have not been considered.

6. The learned Government Pleaders appearing for the respondents 1 to 3, on instructions, submitted that the petitioner's representations, dated 27.05.2022, 30.05.2022, 22.09.2022 and 03.10.2022 would be considered and appropriate action would be taken, in accordance with law.

7. In view of the above, without going into the merits of the claim made by the petitioner, the respondents 1 to 3 are directed to consider the petitioner's representations dated 27.05.2022, 30.05.2022, 22.09.2022 and 03.10.2022 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



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process of law, within a period of twelve (12) 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.]

09.11.2022

Index : Yes / No

Internet : Yes / No

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