



W.P(MD)No.26036 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM:

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

W.P(MD)No.26036 of 2022

P.K.V.Balasubramanian

... Petitioner

VS.

- 1.The District Collector,
Pudukkottai District.
- 2.The District Revenue Officer (D.R.O),
Pudukkottai District.
- 3.The Revenue Divisional Officer (R.D.O),
Pudukkottai District.
- 4.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.
- 5.The Assistant Executive Engineer,
PWD South, Vellaru Vadi Nila Ubakottam,
Alangudi,
Pudukkottai District.
- 6.The Block Development Officer,
Thiruvarangulam Union,
Alangudi Taluk,
Pudukkottai District.

... Respondents



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WEB C **PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to take action for removal of encroachments in Survey Nos.207, 208/5 and 107/1A2A of Keeramangalm Village of Alangudi Taluk, Pudukkottai District, namely water channel and Tank.

For petitioner : Mr.R.Sundar Srinivasan
For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The prayer in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to take action for removal of encroachments made in Survey Nos.207, 208/5 and 107/1A2A of Keeramangalm Village of Alangudi Taluk, Pudukkottai District, namely water channel and Tank.

2.The learned counsel appearing for the petitioner submitted that though the petitioner made several representations to the respondents seeking removal of encroachment in the aforesaid survey numbers and pursuant thereto, though the Executive Officer, directed the fourth



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respondent to measure the lands in question, till date, no steps are taken to remove the encroachment. Hence, the petitioner made a representation to the respondents dated 11.01.2022 in this regard, but, there was no response. Hence, this Writ Petition.

3. The learned Government Pleader appearing for the respondents 1 to 6, on instructions, submitted that the petitioner's representation, dated 11.01.2022 would be considered and appropriate action will be taken in accordance with law.

4. In view of the abovesaid submissions, the authorities concerned are directed to consider the representation of the petitioner, dated 11.01.2022 and pass appropriate orders, on merits and in accordance with law. If there is any encroachment as claimed by the petitioner, after issuing notice and conducting survey in the presence of the petitioner and all other parties, the authorities concerned shall take necessary action for removal of such encroachment, after affording sufficient opportunity of personal hearing to all the parties concerned and by following due process of law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of. No costs.

[R.M.D.,J.] [J.S.N.P.,J.]
17.11.2022

Index : Yes / No
Internet : Yes
ps

To

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

ps

ORDER MADE IN
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