



W.P.(MD) No.26227 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.11.2022

CORAM:

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

W.P.(MD) No.26227 of 2022

V.Thiyagarajan

... Petitioner

-vs-

1.The District Collector
Madurai District
Madurai

2.The District Revenue Officer
Madurai Collector Office
Madurai

3.The Revenue Divisional Officer
Melur RDO Office
Madurai District

4.The Tahsildar
Melur Tahsildar Office
Melur Taluk
Madurai District

5.S.Paakiyam

... Respondents



W.P.(MD) No.26227 of 2022

WEB C **PRAYER:** Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to remove the encroachment in Survey No.269/7 at Kottampatti, based on the petitioner's representation dated 18.03.2022 and 30.05.2022, within a time frame.

For Petitioner : Mr.S.Arivunithy

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R4

ORDER

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

Mr.S.P.Maharajan, learned Special Government Pleader, takes notice for the respondents 1 to 4.

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 respondent is dispensed with.

3. With the consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.



W.P.(MD) No.26227 of 2022

WEB COPY

4. The prayer in the writ petition is for issuance of a writ of mandamus directing the respondents to remove the encroachment in Survey No.269/7 of Kottampatti Village, based on the petitioner's representations dated 18.03.2022 and 30.05.2022, within a time frame

5. The grievance of the petitioner is that though he made representations, as early as on 18.03.2022 and 30.05.2022, to the respondents 1 to 4 seeking removal of the encroachment made by the private respondent in the aforesaid survey number, till date, the same have not been considered.

6. The learned Special Government Pleader appearing for the respondents 1 to 4, on instructions, submitted that the petitioner's representations, dated 18.03.2022 and 30.05.2022, 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 4 are directed to consider the petitioner's representations dated 18.03.2022 and 30.05.2022 and pass appropriate orders, if not already disposed of, on merits and in accordance



W.P.(MD) No.26227 of 2022

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 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.]

21.11.2022

Index : Yes / No
Internet : Yes / No

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To:

- 1.The District Collector,
Madurai District, Madurai.
- 2.The District Revenue Officer,
Madurai Collector Office,
Madurai.
- 3.The Revenue Divisional Officer,
Melur RDO Office,
Madurai District.
- 4.The Tahsildar,
Melur Tahsildar Office,
Melur Taluk, Madurai District.



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W.P.(MD) No.26227 of 2022

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W.P.(MD) No.26227 of 2022

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