



W.P.(MD) No.26558 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2022

CORAM:

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

W.P.(MD) No.26558 of 2022

Maniyalagan

... Petitioner

-vs-

- 1.The District Collector
Dindigul District
- 2.The Assistant Director of Village Panchayat
Dindigul, Dindigul District
- 3.The Block Development Officer
Natham, Dindigul District
- 4.The Tahsildar
Natham Taluk
Dindigul District
- 5.The President
Chendhurai Village Panchayat
Natham Taluk
Dindigul District

6.Veeranan

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to remove the encroachment made by the sixth respondent in Puthirayankulam situated at Sy.No.148 of Chendhurai Village, by considering the petitioner's representation dated 11.08.2022.

For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R5
Mr.P.T.S.Narendravasan for R6

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 5 and Mr.P.T.S.Narendravasan, learned counsel, takes notice for the sixth respondent.

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



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3. The prayer in the writ petition is for issuance of a writ of mandamus directing the respondents 1 to 5 to remove the encroachment made by the sixth respondent in Puthirayankulam, situated at Survey No.148 of Chendhurai Village, based on the petitioner's representation dated 11.08.2022

4. The grievance of the petitioner is that though he made a representation, as early as on 11.08.2022, to the respondents 1 to 5 seeking removal of the encroachment made by the private respondent in the aforesaid survey number, till date the same has not been considered.

5. The learned Special Government Pleader appearing for the respondents 1 to 5, on instructions, submitted that the petitioner's representation, dated 11.08.2022, would be considered and appropriate action would be taken, in accordance with law.

6. In view of the above, without going into the merits of the claim made by the petitioner, the respondents 1 to 5 are directed to consider the petitioner's representation dated 11.08.2022 and pass appropriate orders, if



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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 process of law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs.

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

24.11.2022

Index : Yes / No

Internet : Yes / No

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To:

- 1.The District Collector,
Dindigul District.
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- 3.The Block Development Officer,
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- 4.The Tahsildar,
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5.The President,
Chendhurai Village Panchayat,
Natham Taluk
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and
J.SATHYA NARAYANA PRASAD, J.

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