



W.P(MD)No.26921 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2022

CORAM:

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

W.P(MD)No.26921 of 2022

I.Anwar Raja

... Petitioner

VS.

1.The District Collector,
Collectorate,
Sivagangai District,
Sivagangai.

2.The Assistant Commissioner,
Jamapanthi Revenue Tribunal,
Office of the Tahsildar,
Manamadurai,
Sivagangai District.

3.The Tahsildar,
Manamadurai Taluk,
Sivagangai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment in S.No.145/3, situated at Rajakambeeram Group, Manamadurai Taluk, Sivagangai District, based on the representation of the petitioner, dated 02.06.2022.



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For Petitioner : Mr.N.Madhava Govindan
For Respondents : Mr.P.Thilak Kumar
Government Pleader

ORDER

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

Mr.P.Thilak Kumar, learned Government Pleader, takes notice for the respondents. By consent of both the parties, the Writ Petition is taken up for final disposal at the time of admission itself.

2.The prayer in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment in S.No.145/3, situated at Rajakambeeram Group, Manamadurai Taluk, Sivagangai District, based on the representation of the petitioner, dated 02.06.2022.

3.Seeking removal of the aforesaid encroachment in Oorani, though the petitioner made a representation, dated 02.06.2022 to the official respondents and the third respondent, by proceedings, dated 22.06.2022



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stated that the authorities concerned are taking steps to remove the same, till date, no steps have been taken. Hence, the petitioner has filed the present Writ Petition.

4. The learned Government Pleader appearing for the respondents submitted that the petitioner's representation, dated 02.06.2022 would be considered and appropriate action will be taken in accordance with law.

5. In view of the above, without going into the merits of the claim made by the petitioner, the authorities concerned are directed to consider the representation of the petitioner, dated 02.06.2022 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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6. With the above direction, this Writ Petition is disposed of. No costs.

[R.M.D.,J.] [J.S.N.P.,J.]
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Index : Yes / No
Internet : Yes
ps

To

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Sivagangai District,
Sivagangai.
- 2.The Assistant Commissioner,
Jamapanthi Revenue Tribunal,
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- 3.The Tahsildar,
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R.MAHADEVAN,J.
and
J.SATHYA NARAYANA PRASAD,J.

ps

ORDER MADE IN
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