



W.P(MD)No.26901 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**

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Rajagopal

... Petitioner

VS.

- 1.The District Collector,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Devakottai Revenue Division,
Devakottai,
Sivagangai District.
- 3.The Tahsildar,
Singampunari Taluk Office,
Singampunari Taluk,
Sivagangai District – 630 502.
- 4.The Block Development Officer,
S.Pudur Panchayat Union,
S.Pudur,
Singampunari Taluk,
Sivagangai District – 630 410.
- 5.N.Thiyagarajan
- 6.K.Ramalakshmi
- 7.S.Singara Konar
- 8.A.Siththanan @ Thiruppathi

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9.M.Ramaiah Konar
10.A.Ravichandran
11.M.Azhagappan
12.M.Subbaiah
13.C.Duraisamy
14.C.Arumugam
15.R.Thirumurugan
16.A.Mani
17.S.Saravanan

... Respondents

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 4 to remove the encroachment made by the private respondents in S.F.Nos. 234/24 and 235/13 to an extent of 0.06.0 and 0.13.0 hectares is classified as Pathway at Warappur Village, Singampunari Taluk, Sivagangai District on the basis of the petitioner's representation, dated 09.05.2022 within a time frame.

For Petitioner	: Mr.K.Arunraj
For RR 1 to 3	: Mr.G.V.Vairam Santhosh Additional Government Pleader
For R – 4	: Mr.S.P.Maharajan Special 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 4 to remove the encroachment made by the private respondents in S.F.Nos.234/24 and 235/13 to an



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extent of 0.06.0 and 0.13.0 hectares, which is classified as Pathway at Warappur Village, Singampunari Taluk, Sivagangai District on the basis of the petitioner's representation, dated 09.05.2022 within a time frame.

2.The learned counsel appearing for the petitioner submitted that though the petitioner made a representation, dated 09.05.2022 to the official respondents for removal of encroachment made by the respondents 5 to 17 in the abovesaid survey number, till date, the same has not been considered. Hence, this Writ Petition.

3.The learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned Special Government Pleader appearing for the fourth respondent submitted that the petitioner's representation dated 09.05.2022 would be considered and appropriate action will be taken in accordance with law.

4. In view of the above, without going into the merits of the claim made by the petitioner, the authority concerned is directed to consider the representation of the petitioner, dated 09.05.2022 and pass appropriate orders, on merits and in accordance with law. If there is any encroachment



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as claimed by the petitioner, after issuing notice and conducting survey in the presence of the petitioner and all other parties, the authority concerned is directed to take necessary action for removal of encroachment, after affording sufficient opportunity of personal hearing 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.

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

Index : Yes / No
Internet : Yes
ps

[R.M.D.,J.] [J.S.N.P.,J.]
29.11.2022

To

- 1.The District Collector,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Devakottai Revenue Division,
Devakottai,
Sivagangai District.



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- 3.The Tahsildar,
Singampunari Taluk Office,
Singampunari Taluk,
Sivagangai District – 630 502.
- 4.The Block Development Officer,
S.Pudur Panchayat Union,
S.Pudur,
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R.MAHADEVAN,J.
and
J.SATHYA NARAYANA PRASAD,J.

ps

ORDER MADE IN
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DATED : 29.11.2022