



**W.P.(MD) No.26886 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.26886 of 2022**

Vellakutti

... Petitioner

Vs.

1.The District Collector,  
Sivagangai District,  
Sivagangai.

2.The Revenue Divisional Officer,  
Devakottai Revenue Division,  
Sivagangai District.

3.The Tahsildar,  
Singampunari Taluk,  
Sivagangai District.

4.Alagan

5.Periyasamy

... Respondents



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**PRAYER :** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 1 to 3 to remove the encroachment made by the private respondents in S.F.No.175/2 which is classified as Village road along with Channel, which is situated at Valasuppatti Village, Singampunari Taluk, Sivagangai District on the basis of petitioner's representation dated 06.10.2022, within time frame fixed by this Court.

For Petitioner : Mr.T.Vadivelan

For Respondents : Mr.S.P.Maharajan  
Special Government Pleader for R1 to R3

### **ORDER**

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

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the private respondents in S.F.No.175/2, which is classified as Village road along with Channel, situated at Valasuppatti Village, Singampunari Taluk, Sivagangai District, on the basis of petitioner's representation dated 06.10.2022, within a time frame.



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2. Heard Mr.T.Vadivelan, learned counsel for the petitioner and Mr.S.P.Maharajan, learned Special Government Pleader, who takes notice for the respondents 1 to 3. Considering the nature of the order proposed to be passed in this Writ Petition, notice to the respondents 4 and 5 is dispensed with.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4. It is the claim of the petitioner that the respondents 4 and 5 have made the aforesaid encroachment in the place in question and in this regard, though the petitioner made a representation on 06.10.2022, to the respondents seeking to remove the aforesaid encroachment, till date, no steps have been taken by the respondents to remove the said encroachment. Hence, the petitioner has filed this Writ Petition.

5. The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the representation of the petitioner dated 06.10.2022 would



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be considered by the official respondents and appropriate action will be taken to remove the encroachment, if any, in the place in question, for which, the learned counsel for the petitioner is agreeable.

6. Recording the above submission, this Writ Petition is disposed of with a direction to the authorities concerned to consider and dispose of the representation of the petitioner dated 06.10.2022, on merits and in accordance with law. If there is any encroachment in the place in question, the authorities concerned shall remove the same, after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs.

vsm

**[R.M.D., J.]      [J.S.N.P., J.]**

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