



W.P.(MD) No.27237 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.27237 of 2022

Kandhasamy

... Petitioner

Vs.

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The Deputy Collector,
Office of the Deputy Collector,
Trichy District.
- 3.The Thasildar,
Office of the Thasildar,
Marungapuri Taluk,
Trichy District.
- 4.The Block Development Officer,
Office of the Block Development,



W.P.(MD) No.27237 of 2022

WEB COPY
Marungapuri Taluk,
Trichy District.

5.The Panchayat President,
Office of the Panchayat President,
Thethur Post, Marungapuri Taluk,
Trichy District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to take immediate action to remove the illegal encroachment put up by the 4th respondent in the above said area situated in between Thethur Village, Thuvarankurichi, Marungapuri Taluk, Trichy District on the basis of the petitioner's representation dated 08.11.2022 within the time stipulated by this Court.

For Petitioner : Mr.T.Vinoth Gambili

For Respondents : Mr.G.V.Vairam Santhosh
Additional Govt. Pleader for R1 to R3

: Mr.V.Nirmal Kumar
Government Advocate for R4 & R5



WEB COPY



W.P.(MD) No.27237 of 2022

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 and 2 herein to take immediate action to remove the illegal encroachment put up by the fourth respondent in between Thethur Village, Thuvrankurichi, Marungapuri Taluk, Trichy District on the basis of the petitioner's representation dated 08.11.2022, within a time frame.

2. Heard Mr.T.Vinoth Gambili, learned counsel for the petitioner, Mr.G.V.Vairam Santhosh, learned Additional Government Pleader, who takes notice for the respondents 1 to 3 and Mr.V.Nirmal Kumar, learned Government Advocate, who takes notice for the respondents 4 and 5.

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



W.P.(MD) No.27237 of 2022

WEB COPY

4. It is the claim of the petitioner that the fourth respondent has laid a cement road in the place in question and in this regard, though the petitioner made a representation on 08.11.2022 to the respondents seeking to remove the said cement road, till date, no steps have been taken by the respondents to remove the same. Hence, the petitioner has filed this Writ Petition.

5. The learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the representation of the petitioner dated 08.11.2022 would 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 08.11.2022 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



W.P.(MD) No.27237 of 2022

parties and by following due process of law. Such an exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs.

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

01.12.2022

vsm

To

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The Deputy Collector,
Office of the Deputy Collector,
Trichy District.
- 3.The Thasildar,
Office of the Thasildar,
Marungapuri Taluk,
Trichy District.



WEB COPY



W.P.(MD) No.27237 of 2022

R.MAHADEVAN, J.
and
J.SATHYA NARAYANA PRASAD, J.

vsm

4.The Block Development Officer,
Office of the Block Development,
Marungapuri Taluk,
Trichy District.

5.The Panchayat President,
Office of the Panchayat President,
Thethur Post, Marungapuri Taluk,
Trichy District.

W.P.(MD) No.27237 of 2022

01.12.2022