



W.P.(MD) No.27217 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.27217 of 2022

Sevugadurai

... Petitioner

Vs.

1.The District Collector,
Tenkasi,
Tenkasi District.

2.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.

3.The Block Development Officer,
(Village Panchayat),
Sankarankovil,
Tenkasi District.

4.The President,
Veerasigamani Panchayat,

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Veerasigamani,
Tenkasi District.

5.The Sub Inspector of Police,
Sendhamaram Police Station,
Tenkasi District.

6.Santhi

7.Ananthi

8.Mathivanan

9.Thaiyammal

10.Kumaran

11.Kumar

12.Paul

... Respondents

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 respondents 6 to 12 or their men in the government land in Survey No.101/1, situated in Thangarasapuram Colony, Vadanathampatti Village, Veerasigamani Panchayat, Sankarankovil Taluk, Tenkasi District.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.P.Thilak Kumar
Government Pleader for R1 to R4

: Mr.T.Senthil Kumar
Additional Public Prosecutor for R5



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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 5 to remove the encroachment made by the respondents 6 to 12 or their men in the Government land in Survey No.101/1, situated in Thangarasapuram Colony, Vadanathampatti Village, Veerasigamani Panchayat, Sankarankovil Taluk, Tenkasi District.

2. Heard Mr.R.J.Karthick, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader, who takes notice for the respondents 1 to 4 and Mr.T.Senthil Kumar, learned Additional Public Prosecutor, who takes notice for the fifth respondent. Considering the nature of the order proposed to be passed in this Writ Petition, notice to the respondents 6 to 12 is dispensed with.

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



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4. It is the claim of the petitioner that the respondents 6 to 12 have made encroachment in the Government land in aforesaid survey number and in this regard, though the petitioner made a representation on 20.10.2022 to the respondents seeking to remove the aforesaid encroachment, till date no steps have been take by the respondents to remove the aforesaid encroachment. Hence, the petitioner has filed this Writ Petition.

5. The learned Government Pleader appearing for the respondents 1 to 4, on instructions, submitted that there are some encroachments in the place in question and the same would be removed by the authorities concerned within a time frame, by due process of law, 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 remove the encroachment in the place in question, after affording sufficient opportunity to all the parties concerned and by following due process of law. Such an exercise shall be completed within a



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period of twelve (12) weeks from the date of receipt of a copy of this order. No costs.

vsm

[R.M.D., J.] [J.S.N.P., J.]
01.12.2022

To

- 1.The District Collector,
Tenkasi,
Tenkasi District.
- 2.The Tahsildar,
Sankarankovil Taluk,
Tenkasi District.
- 3.The Block Development Officer,
(Village Panchayat),
Sankarankovil,
Tenkasi District.
- 4.The President,
Veerasigamani Panchayat,
Veerasigamani,
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