



W.P.(MD) No.27264 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.27264 of 2022

C.Murugaiah

... Petitioner

-Vs-

1.The District Collector,
Pudukkottai, Pudukkottai District.

2.The Revenue Divisional Officer,
Illupur, Pudukkottai District.

3.The Tahsildar,
Kulathur Taluk,
Pudukkottai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the encroachment made in Survey Nos.335, 336 and 335/18 of Poonkudi Village, Vellanur, Illupur Taluk, Pudukkottai District by considering the representation of the petitioner dated 19.01.2021 within the time frame that may be fixed by this Court.

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For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.P.Thilak Kumar,
Government Pleader

ORDER

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

This Writ Petition is filed for issuance of Writ of Mandamus, directing the respondents to remove the encroachment made in Survey Nos.335, 336 and 335/18 of Poonkudi Village, Vellanur, Illupur Taluk, Pudukkottai District by considering the representation of the petitioner dated 19.01.2021 within a time frame.

2.Mr.P.Thilak Kumar, learned Government Pleader takes notice for the respondents.

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.Pointing out the aforesaid encroachments made by the private parties, the petitioner made a representation dated 19.01.2021 to the official respondents. On receipt of the same, the 1st respondent, vide communication dated 25.01.2021 in O.Mu.1794/2021/E1, directed the 2nd respondent and Deputy Director of Panchayats, Pudukkottai to take appropriate action. The 2nd respondent in turn directed the 3rd respondent to take action. Thereafter, no action has been taken. Hence, this Writ Petition is filed.

5.The learned Government Pleader for the respondents, on instructions, submitted that the representation of the petitioner dated 19.01.2021 would be considered on merits and appropriate action would be taken for removal of encroachment, if any, in the lands in question by following due process of law, within a time frame.

6.In view of the above, without going into the merits of the case, this Court directs the authorities concerned to consider the representation of the petitioner dated 19.01.2021 and pass appropriate orders on merits and in

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accordance with law. If there is any encroachment in the lands in question, the same would be removed by the authorities concerned, after affording sufficient opportunity 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.

7. With the above direction, this Writ Petition stands disposed of. No costs.

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

Index : Yes / No

Internet : Yes / No

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To

1. The District Collector,
Pudukkottai, Pudukkottai District.

2. The Revenue Divisional Officer,
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3. The Tahsildar,
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