



W.P.(MD) No.27334 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.27334 of 2022**

Vijayaramakrishnan

... Petitioner

-Vs-

- 1.The District Collector,  
Theni District.
- 2.The Revenue Divisional Officer,  
Uthamapalayam, Theni District.
- 3.The Tahsildar,  
Uthamapalayam, Theni District.
- 4.The Block Development Officer,  
Chinnamanur, Uthamapalayam Taluk,  
Theni District.
- 5.The Village Administrative Officer,  
Muthulapuram, Uthamapalayam Taluk,  
Theni District.

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6.The President,  
Muthulapuram Village Panchayat,  
Uthamapalayam Taluk, Theni District.

... Respondents

**PRAYER :** Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to remove the encroachment made in Nilaviyal Odai (Channal) situated in Muthulapuram Village, Uthamapalayam Taluk, Theni District in the light of G.O.Ms.No.540, Revenue (LD6(2)) Department, dated 04.12.2014 by considering the representation dated 14.11.2022 in accordance with law within a stipulated time period.

For Petitioner : Mr.C.Senthil Murugan  
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 Nilaviyal Odai (Channal) situated in Muthulapuram Village, Uthamapalayam Taluk, Theni District in the light of G.O.Ms.No.540, Revenue (LD6(2)) Department, dated 04.12.2014, by

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considering the representation dated 14.11.2022, in accordance with law, 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.

4.Pointing out the aforesaid encroachment, the petitioner made a representation dated 14.11.2022 to the respondents, seeking removal of the same, in the light of G.O.(Ms).No.540, Revenue (LD6(2)) Department, dated 04.12.2014. Finding inaction on the part of the respondents, the petitioner has filed this Writ Petition.

5.The learned Government Pleader for the respondents, on instructions, submitted that the representation of the petitioner dated 14.11.2022

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would be considered on merits and appropriate action would be taken by the authorities concerned for removal of the encroachment, if any, in the place 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 14.11.2022 and pass appropriate orders on merits and in accordance with law. If there is any encroachment in the place 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

Myr

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**R.MAHADEVAN, J.**

**AND**

**J.SATHYA NARAYANA PRASAD, J.**

*Myr*

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