



W.P.(MD) No.17075 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD**

W.P.(MD) No.17075 of 2017

E.Thennarasau

... Petitioner

-VS-

- 1.The District Collector,
Trichy District, Trichy.
- 2.The Commissioner,
Trichy Municipal Corporation,
Trichy.
- 3.The Junior Engineer,
Public Works Department,
Division Office,
Melakalkandarkottai, Trichy.
- 4.The Tahsildar,
Trichy East Taluk,
Trichy District, Trichy.

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5.M/s.Mekkakottai Viyaparigal Sangam,
Rep.by its President Mr.Rajendran,
8/18, Jeyam Finance, V.O.C.Street,
Melakalkandarkottai, Trichy.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment of the 5th respondent in Survey No.267/2, 267/1C, 267/ /1A, 267/2C situated at Alathoor Village, Trichy East Taluk and Trichy District by considering the petitioner and on behalf of other villager's representation dated 24.08.2017.

For Petitioner : Mr.S.Venkatesan

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader for R1, R3 & R4
Mr.R.Baskaran,
Standing Counsel for R2
Mr.T.R.Ebenezer Charles for R5

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 4 to remove the encroachment made by the fifth



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respondent in Survey Nos.267/2, 267/1C, 267/ /1A, 267/2C, situated at Alathoor Village, Trichy East Taluk and Trichy District by considering the representation of the petitioner and on behalf of the village people dated 24.08.2017.

2. It is the case of the petitioner that the fifth respondent had encroached upon the land in Survey Nos.267/2, 267/1C, 267/ /1A, 267/2C, situated at Alathoor Village, Trichy East Taluk and Trichy District. Though the petitioner and the village people has given representation on 24.08.2017, seeking for removing the encroachment made by the fifth respondent, no action has been taken by the respondents to remove the encroachment. Hence, the petitioner has approached this Court by filing this Writ Petition as Public Interest Litigation.

3. The learned counsel appearing for the fifth respondent submitted that the encroachment made by them had already been removed by the Government authorities.

4. Recording the same, this Writ Petition is disposed of. No costs.



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

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Index : Yes / No

Internet : Yes / No

vsm



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