



W.P(MD)No.17142 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.17142 of 2017
and
WMP(MD)No.13716 of 2017**

T.Sivanantham

... Petitioner

VS.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.
- 3.The Block Development Officer,
Nainar Kovil,
Paramakudi Taluk,
Ramanathapuram District.
- 4.Rasu Thevar
- 5.Thanga Thevar
- 6.Kadhiresan
7. Sangaiah



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WEB C 8.Krishnan

9.Malaivel

10.Ganesan

11.Ganesan

12.Gananathan

13.Velu

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the respondents 4 to 13 in S.No.160/10, Chinnakuttai, Radhapuli Group Village, Paramakudi Taluk, Ramanathapuram District and restore the pond namely, "Chinnakuttai" which was situated in S.No.160/10 to its original position within a time frame fixed by this Court.

For Petitioner	: Mr.R.J.Karthick
For R1 to R3	: Mr.S.P.Maharajan Special Government Pleader
For R4 to R13	: Mr.V.Kannan

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The prayer made in this Writ Petition is to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the respondents 4 to 13 in S.No.160/10, Chinnakuttai, Radhapuli

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Group Village, Paramakudi Taluk, Ramanathapuram District and restore the pond namely, "Chinnakuttai" which was situated in S.No.160/10 to its original position.

2. Seeking removal of encroachment made by the respondents 4 to 13, the petitioner sent a representation, dated 01.09.2017 to the respondents 1 to 3. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

3. When the matter was taken up for hearing, the learned counsel appearing for the petitioner submitted that it would be suffice, if the representation of the petitioner is directed to be disposed of by the respondents 1 to 3 on merits and in accordance with law, within a time frame.

4. The learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the representation of the petitioner will be disposed of by the respondents 1 to 3 in accordance with law within a time frame.



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5. In view of the above, the second respondent is directed to inspect the place and find out whether any encroachment is made by the respondents 4 to 13 as pointed out by the petitioner. If there is any encroachment, appropriate action has to be taken for removal of such encroachment after following due procedure and after affording due opportunity to the parties concerned. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6.The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

[R.M.D.,J.] & [J.S.N.P.,J.]
13.09.2022

Index : Yes / No
Internet : Yes
ps



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

ps

ORDER MADE IN
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