



W.P(MD)No.18709 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.18709 of 2017

K.Pandithevar

... Petitioner

VS.

1.The District Collector,
Madurai District.

2.The Tahsildar,
Usilampatti, Madurai District.

3.Palani

4.Anand

5.Palanisamy

6.Pasumpon

7.Perumal

8.Gothandaraman

9.Siva

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representation, dated 01.09.2017 and pass suitable orders to remove the encroachments made in Survey No.81 at Kurivilampatti, K.Pothampatti Village, Usilampatti Taluk, Madurai District, within a stipulated time fixed by this Court.

1/5



W.P(MD)No.18709 of 2017

WEB COPY

For Petitioner : Mr.J.Jeyakumaran
For RR 1 & 2 : Mr.V.Nirmal kumar
Government Advocate
For RR 3 to 7 & 9 : Mr.S.Kameswaran
For R – 8 : No appearance

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 and 2 to consider the petitioner's representation, dated 01.09.2017 and pass suitable orders to remove the encroachments made in Survey No.81 at Kurivilampatti, K.Pothampatti Village, Usilampatti Taluk, Madurai District

2. 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 and 2 on merits and in accordance with law, within a time frame.



W.P(MD)No.18709 of 2017

WEB COPY

3. The learned Government Advocate appearing for the respondents 1 & 2 submitted that the representation of the petitioner will be disposed of by the respondents 1 & 2 in accordance with law within a time frame.

4. In view of the above, this Court, without going into the merits of the claim made by the petitioner, directs the respondents 1 & 2 to consider the representation of the petitioner, dated 01.09.2017 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties including the respondents 3 to 9. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5.The Writ Petition is disposed of with the above direction. No costs.

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

Index : Yes / No
Internet : Yes
ps

3/5



WEB COPY



W.P(MD)No.18709 of 2017

To

- 1.The District Collector,
Madurai District.
- 2.The Tahsildar,
Usilampatti,
Madurai District.



WEB COPY



W.P(MD)No.18709 of 2017

R.MAHADEVAN,J.

and

J.SATHYA NARAYANA PRASAD,J.

ps

**ORDER MADE IN
W.P(MD)No.18709 of 2017**

13.09.2022