

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.19415 of 2017

Murugesan

... Petitioner

VS.

1.The District Collector,
Pudukottai.

2.The Revenue Divisional Officer,
Iluppur Taluk, Pudukottai District.

3.The Tahsildar,
Ponnamaravathy Taluk,
Ponnamaravathy,
Pudukottai District.

4.Maruthaya

5.Rajangam

... 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 to 3 to take immediate action for the removal of encroachment made by the respondents 4 and 5 in the common pathway in Pula No.798/9 measuring about 0.49.0 ares situated at Karaiyur Village, Ponnamaravathy Taluk,

Pudukottai District, based on the petitioner's representation, dated 20.09.2017 submitted for removal of encroachment and in the light of G.O.Ms.No.540, dated 04.12.2014 and the communication of the first respondent, dated 26.09.2017 within a time frame fixed by this Court.

For Petitioner : Mr.R.S.Alagusundar

For RR 1 to 3 : Mr.P.Thilak Kumar
Government Pleader

For RR 4 & 5 : Mr.P.Ganapathi Subramanian

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 take immediate action for the removal of encroachment made by the respondents 4 and 5 in the common pathway in Pula No.798/9 measuring about 0.49.0 ares situated at Karaiyur Village, Ponnamaravathy Taluk, Pudukottai District, based on the petitioner's representation, dated 20.09.2017.

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 disposed of on merits and in accordance with law, within a time stipulated by this Court.

3. The learned 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.

4. In view of the above, this Court, without going into the merits of the claim made by the petitioner, directs the respondents 1 to 3 to consider the representation of the petitioner, dated 20.09.2017 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 4 and 5. Such an exercise shall be completed within a period of six 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

To

- 1.The District Collector,
Pudukottai.
- 2.The Revenue Divisional Officer,
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- 3.The Tahsildar,
Ponnamaravathy Taluk,
Ponnamaravathy,
Pudukottai District.

W.P(MD)No.19415 of 2017

R.MAHADEVAN,J.

and

J.SATHYA NARAYANA PRASAD,J.

ps

**ORDER MADE IN
W.P(MD)No.19415 of 2017**

13.09.2022