



W.P(MD) No.21630 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2022

CORAM:

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

**W.P.(MD) No.21630 of 2017
and
W.M.P(MD) No.17911 of 2017**

Jegan

... Petitioner

-VS-

- 1.The District Collector,
Madurai District, Madurai.
- 2.The Tahsildar,
Melur Taluk, Madurai.
- 3.The Chief Executive Engineer,
Public Works Department,
Thallakulam PWD Office,
Madurai.
- 4.The Block Development Officer,
O/o. The Block Development Officer,
Melur, Madurai.
- 5.M.K.Rajamanickam

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents to remove the encroachment made by the fifth respondent and his men in the



W.P(MD) No.21630 of 2017

poramboke land comprised in Survey No.531/1, Narasingampatti Village, Melur and in the public pathway for Periyaponnankulam Tank and also in the Periyaponnankulam Tank situates at Narasingampatti Village, Melur, Madurai.

For Petitioner : Mr.S.M.A.Jinnah

For Respondent : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
for R1 to R3
Mr.Aayiram K.Selvakumar for R4

ORDER

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

The petitioner has come forward with this writ petition praying to issue a Writ of Mandamus, directing the official respondents to remove the encroachments made by the fifth respondent in the land comprised in Survey No.531/1, Narasingampatti Village, Melur, Madurai.

2. It is the case of the petitioner that earlier, he filed W.P(MD) No. 8111 of 2017 and this Court, *vide* order dated 26.07.2017, disposed of the said writ petition, directing the third respondent therein, to consider the representation of the petitioner and to remove the encroachments by conducting enquiry. Now, the grievance of the petitioner is that till date no action was taken by the official respondents and hence, this writ petition.



W.P(MD) No.21630 of 2017

WEB COPY

3. Heard Mr.S.M.A.Jinnah, learned counsel for the petitioner; Mr.G.V.Vairam Santhosh, learned Additional Government Pleader, appearing for the respondents 1 to 3 and Mr.Aayiram K.Selvakumar, learned counsel appearing for the fourth respondent.

4. The learned Additional Government Pleader appearing for the respondents 1 to 3, submitted that if there is any encroachment on date, the second respondent will take appropriate action for removal of such encroachments.

5. Recording the above submission of the learned Additional Government Pleader, the second respondent is directed to inspect the land in question and if there is any encroachment as pointed out by the petitioner, appropriate action shall be taken for removal of such encroachment by following due process of law and also after affording opportunity to the parties concerned. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.



W.P(MD) No.21630 of 2017

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

7. Post the matter after eight weeks under the caption 'for reporting compliance'.

[R.M.D., J.] [J.S.N.P., J.]
14.09.2022

Index : Yes / No
Internet : Yes / No
pkn



W.P(MD) No.21630 of 2017

To:

WEB COPY

- 1.The District Collector,
Madurai District, Madurai.
- 2.The Tahsildar,
Melur Taluk, Madurai.
- 3.The Chief Executive Engineer,
Public Works Department,
Thallakulam PWD Office,
Madurai.
- 4.The Block Development Officer,
O/o. The Block Development Officer,
Melur, Madurai.



WEB COPY



W.P(MD) No.21630 of 2017

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

pkn

W.P.(MD) No.21630 of 2017

14.09.2022