

W.P.(MD) No.23798 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.23798 of 2017**

N.Sarathi

... Petitioner

-vs-

1.The District Collector  
Karur District  
Karur

2.The District Revenue Officer  
District Revenue Office  
Karur District, Karur

3.The Revenue Divisional Officer  
Revenue Divisional Office  
Karur

4.The Tahsildar  
Manmangalam Taluk  
Karur District

5.K.Muthusamy

... 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 take immediate steps to renovate the channel and pathway in S.No.290, situated at Kathapparai Village, Manmangalam Taluk, Karur District, after removing encroachment created the 5<sup>th</sup> respondent by considering the petitioners representation dated 17.10.2017.

For Petitioner : Mr.V.Muthukamatchi

For Respondents : Mr.S.P.Maharajan  
Special Government Pleader for R1 to R4  
Mr.K.Govindarajan for R5

**O R D E R**

**[Order of the Court was made by R.MAHADEVAN, J.]**

The prayer in the writ petition is for issuance of a writ of mandamus directing the respondents 1 to 4 to take immediate steps to renovate the channel and pathway in Survey No.290 of Kathapparai Village, Manmangalam Taluk, Karur District, after removing encroachment made by the fifth respondent, by considering the petitioner's representation dated 17.10.2017.

**2.** The learned counsel for the petitioner submitted that even though the petitioner made a representation as early as on 17.10.2017 ventilating the above grievance, till date no response is forthcoming from the side of the official respondents. Hence, the learned counsel for the petitioner prayed for necessary directions to the respondents 1 to 4 to consider the petitioner's representation dated 17.10.2017 on merits and in accordance with law, within a time stipulated by this Court.

**3.** The learned Special Government Pleader appearing for the respondents 1 to 4 submitted that if a direction is given to the respondents 1 to 4, they will consider the petitioner's representation, within the stipulated time.

**4.** In view of the above submissions, without going into the merits of the claim made by the petitioner, the respondents 1 to 4 are directed to consider the petitioner's representation dated 17.10.2017 and pass appropriate orders, on merits and in accordance with law, after giving due notice to all the parties concerned, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear

that this order should not be construed as giving any positive direction to the respondents 1 to 4, who should pass orders depending upon the facts and circumstances of the case.

5. With the above direction, this writ petition is disposed of. No costs.

**[R.M.D., J.]      [J.S.N.P., J.]**

**14.09.2022**

Index : Yes / No  
Internet : Yes / No

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- 2.The District Revenue Officer,  
District Revenue Office,  
Karur District, Karur.
- 3.The Revenue Divisional Officer,  
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- 4.The Tahsildar,  
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