



W.P.No.8474 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.8474 of 2023

K.Palaniappan

.. Petitioner

Vs

1.The District Collector,
Erode, Erode District.

2.The Tahsildar,
Kodumudi Taluk,
Kodumudi-638 151.

3.The Executive Officer,
Sennasamuththiram Panchayath,
Salaiputhur,
Kodumudi-638 151.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to remove the encroachments in public road from Kodumudi to Varunthiyapalayam, specifically in resurvey number 72/1 of Sennasamuththiram A village, Erode District.

For the Petitioner : Mr.V.S.Kesavan



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For the Respondents : Mr.P.Muthukumar
State Government Pleader

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

K.Palaniappan, son of Karuppannan, a resident of Sennasamuththiram Village, Kodumudi Taluk, Erode District, has filed this writ petition seeking issuance of a writ of mandamus directing the respondents to remove the encroachments in public road from Kodumudi to Varunthiyapalayam, particularly in Resurvey No.72/1 of Sennasamuththiram A village, Erode District.

2. Mr.V.S.Kesavan, learned counsel appearing on behalf of the petitioner, would submit that in the public road running from Kodumudi to Varunthiyapalayam in Erode District, at Resurvey No.72/1, Sennasamuththiram A Village, several persons have put up encroachments, due to which the free flow of traffic is affected. The petitioner sent a representation to the respondent authorities on 8.11.2022 and, in response, the second respondent, vide proceedings dated 18.11.2022, directed the Revenue Inspector and Deputy Tahsildar to remove the encroachments. However, till date the said



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encroachments have not been removed. Hence, the petitioner has been advised to file this writ petition.

3. Mr.P.Muthukumar, learned State Government Pleader appearing on behalf of respondents, submitted that, if four weeks' time is granted to the respondent authorities, they will conduct a survey of the land in question and thereafter remove the encroachments.

4. Recording the aforesaid submission made by learned State Government Pleader, the writ petition is disposed of with a direction to the respondent authorities to conduct a survey of the land in question with the assistance of the jurisdictional Surveyor and, if any encroachment is found, the same shall be removed after notice to the encroachers. The entire exercise is to be completed within a period of four weeks from the date of receipt of a copy of this order. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
17.03.2023

Index : No
Neutral Citation : No



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To:

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THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sasi)

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