



WP No.1036 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

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M.Senthilkumar

: Petitioner

versus

- 1.The District Collector,
Tiruppur District
- 2.The Tahsildar,
Palladam Taluk, Tiruppur District
- 3.The Executive Officer,
Samalapuram Town Panchayat,
Tiruppur District
- 4.The Superintendent of Police,
Tiruppur District
- 5.The Inspector of Police,
Mangalam Police Station, Tiruppur District.
- 6.Pathral
- 7.Chinnan
- 8.Marasamy
- 9.Arukkani
- 10.Arjunan

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11.Kuppan

12.Ramlal

13.Dhanalakshmi

14.Perumal

15.Murugan

16.Deival

17.Velusamy

18.Ramamurthy

19.Lakshmanan

20.Velusamy

21.Madurai Veeran Temple

Throu its Poojari Kumarasamy

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 to 5 to remove the re-encroachments made by respondents 6 to 21 in the Velayudhampalayam Main road to Arunthathiar Colony, Velayuthampalayam village, Pallapalayam Post, Tiruppur District and to prevent encroachments in the future.

For the Petitioner : Mr.K.Govi Ganesan

For the Respondents : Mr.P.Muthukumar,

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State Government Pleader,
Assisted by Mr.Karthik Jegannath,
Government Advocate,
for respondents 1, 2, 4 and 5

Mr.P.Sanjai Gandhi,
for the third respondent

Mr.K.T.S.Siva,
for respondents 6 to 14, 16, 18 & 21

Not ready in notice for respondent-17
No appearance, respondents 15, 19, 20

ORDER

(Made by the Hon'ble Chief Justice)

Heard Mr.K.Govi Ganesan, learned counsel for the petitioner;
Mr.P.Muthukumar, learned State Government Pleader, for respondents
1, 2, 4 and 5, Mr.Sanjay Gandhi, for the third respondent and
Mr.K.T.S.Siva, learned counsel for respondents 6 to 14.

2. Learned counsel for the petitioner submits that encroachment
is made by respondents 6 to 21 on the main road.

3. Mr.P.Muthukumar, learned State Government Pleader submits
that in the year 2017, the encroachment made was removed.



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4. However, the contention of the petitioner is that respondents 6 to 20 have again encroached the panchayat road and constructed bathrooms.

5. On the instructions of the Tahsildar, learned State Government Pleader submits that Survey Nos.17 and 18 will be surveyed and measured on 16.08.2023 and if it is found that encroachment has been made by respondents 6 to 20, they will be evicted, after issuing notices under the Tamil Nadu Land Encroachment Act, 1905.

6. In view of the said statement of the learned State Government Pleader, the writ petition is disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

14.08.2023

Index : Yes/No
Neutral Citation : Yes/No
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