



W.P.No.20086 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.01.2023

CORAM

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN
AND
THE HONOURABLE Mr.JUSTICE MOHAMMED SHAFFIQ

W.P.No.20086 of 2016

A.Ganesan

.. Petitioner

Vs.

1.The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

2.P.Govindan

3.D.Selvi

4.K.Pekkadian @ Munian

5.A.Thangavel

6.V.Irusammal

7.V.Durai

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying
to issue a WRIT OF MANDAMUS to consider the petitioner's



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representation dated 07.09.2015 by the first respondent and consequently direct the first respondent to evict the encroachment on the road and water canal by respondents 2 to 7.

For Petitioner : Mr.T.V.G.Kartheeban
For R1 : Mr.A.Selvendiran
Special Government Pleader

ORDER

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

This writ petition has been filed by the petitioner seeking a direction to the first respondent to consider his representation dated 07.09.2015 and to evict the encroachment on the road and water canal by the respondents 2 to 7.

2. The case of the petitioner is that he is the absolute owner of the properties in S.No.105/2 of Vandavasi Taluk, Amudur Village. There is a lake on the northern and western side of his land. Between the survey nos.105/2 and 106, a road is there. By encroaching these water canal and road, the respondents 2 to 7 have constructed residential houses. Therefore,



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the petitioner submitted a representation dated 07.09.2015 to the first respondent requesting to remove the said encroachment. Finding no response on the same, he has come up with this writ petition for the aforesaid relief.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the first respondent.

4. Considering the limited nature of the relief sought herein, this court, without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 07.09.2015, if not considered earlier, and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned, within a period of eight weeks from the date of receipt of a copy of this order. It is needless to state that if there is any encroachment as alleged by the petitioner, the same shall be removed, after following due process of law.



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R.MAHADEVAN, J.
AND
MOHAMMED SHAFFIQ, J.

nsd

5. With the above direction, this writ petition stands disposed of.

No costs.

[R.M.D., J.] [M.S.Q., J.]
20.01.2023

nsd

To

The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

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