



W.P.No.3665 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2023

CORAM

**THE HON'BLE MR.JUSTICE R.MAHADEVAN
and
THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ**

W.P.No.3665 of 2018

C.Sahadevan

...Petitioner

Vs

1.The District Collector,
O/o The Collector,
Thiruvannamalai,
Thiruvannamalai.

2.The District Revenue Officer,
O/o The Collector,
Thiruvannamalai,
Thiruvannamalai.

3.Mr.Kuppusamy

4.Mr.Jayaseelan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, directing the respondents 1 and 2 herein to remove the unlawful and illegal encroachment by the respondents 3 and 4 in common pathway located in S.No.38/2, Neelampattu Village, Amarthi Post, Via Kanniyambadi, Polur Taluk, Thiruvannamalai District, forthwith.



W.P.No.3665 of 2018

For Petitioner : Mr.Balakumaran for
Mr.R.Natarajan.

For Respondents : Mr.A.Selvendran, Special
Government Pleader for R1 & R2.

Mr.J.Arun Prasad for R3 & R4.

ORDER

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

The prayer made in this Writ Petition is to issue a Writ of Mandamus,

directing the respondents 1 and 2 to remove the encroachment made by the respondents 3 and 4 in common pathway located in S.No.38/2, Neelampattu Village, Amarthi Post, Via Kanniyambadi, Polur Taluk, Thiruvannamalai District.

2.Heard the learned counsel for the petitioner, who submitted that the petitioner has given representations dated 17.02.2017 and 27.03.2017 for removal of encroachments in the subject land. Finding no response on the same, the petitioner has come up with this Writ Petition with the aforesaid relief.



W.P.No.3665 of 2018

WEB COPY

3. On the other hand, the learned Special Government Pleader appearing for the respondents 1 and 2 fairly submitted that the respondent authorities would consider the representations of the petitioner and pass orders on merits and in accordance with law within a time to be stipulated by this Court.

4. Considering the limited nature of relief now sought by the learned counsel for the petitioner which has not been seriously opposed on the side of the respondent authorities, this Court, without going into the merits of the case, directs the respondents 1 and 2 to consider the petitioner's representations dated 17.02.2017 and 27.03.2017, 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 (8) 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.



WEB COPY



W.P.No.3665 of 2018

R.MAHADEVAN,J.
and
MOHAMMED SHAFFIQ,J.
ay

5.With the above direction, this Writ Petition is disposed of. No costs.

(R.M.D.,J.) (M.S.Q.,J.)
02.02.2023

ay

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation: Yes / No

Copy To

1.The District Collector,
O/o The Collector,
Thiruvannamalai,
Thiruvannamalai.

2.The District Revenue Officer,
O/o The Collector,
Thiruvannamalai,
Thiruvannamalai.

W.P.No.3665 of 2018