



W.P.No.25702 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2023

CORAM :

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.P.No.25702 of 2023

K.Gunalan

.. Petitioner

Vs

1.The District Collector,
Villupuram District,
Villupuram.

2.The Tahsildar,
Melmalayanur Taluk,
Melmalayanur,
Villupuram District.

3.Baskaran

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first and second respondents to remove the encroachment caused in Survey No.504/13, Kottapoondi Village, Melmalayanur Taluk, Villupuram District.



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For the Petitioner : Mr.C.Munusamy
For the Respondents : Mr.P.Muthukumar
State Government Pleader
for respondent Nos.1 and 2

ORDER

(Order of the court was made by *S.Vaidyanathan, J.*)

The present writ petition has been filed seeking a direction to respondents 1 and 2 to remove the encroachment made by the third respondent in S.No.504/13 situated at Kottapoondi Village, Melmalayanur Taluk, Villupuram District.

2. Since we are not passing any adverse order against respondent No.3 in the present writ petition, notice to respondent No.3 is dispensed with.

3. When the matter is taken up for hearing, learned State Government Pleader, by producing a letter dated 31.8.2023 of the Tahsildar, Melmalayanur Taluk, addressed to the Additional Government Pleader, High Court of Madras, submitted that Survey No.504/13 having an extent of 110 sq. metre has been classified as



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“Theru” (street) and the said place has been encroached by the third respondent by dumping garbage and straw bunch. He would submit that necessary action would be taken in accordance with law.

4. Recording the submission made by the learned State Government Pleader and also placing on record the letter of the Tahsildar, Melmalayanur Taluk dated 31.8.2023 produced before this Court, we dispose of the writ petition with a direction to the second respondent/Tahsildar, Melmalayanur Taluk, to remove the encroachment made on the street (Theru) in Survey No.504/13 to an extent of 110 sq. metre in accordance with law, after affording an opportunity to the third respondent, within a period of three months from the date of receipt of a copy of this order. There will be no order as to costs.

(S.V.N., J.) (K.R.S., J.)
31.08.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:



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WEB COPY

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Tahsildar,
Melmalayanur Taluk,
Melmalayanur,
Villupuram District.



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S.VAIDYANATHAN, J.
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