



WP No.1230 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Ramamoorthy

... Petitioner

versus

- 1 The District Collector
Dharmapuri District
- 2 The Revenue Divisional Officer
Harur, Dharmapuri District
- 3 The Tahsildar
Harur, Dharmapuri District
- 4 The Block Development Officer
Harur, Dharmapuri District
- 5 The President
Harur, Dharmapuri District
- 6 Pandurangan
- 7 Palanisamy

... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 1st to 5th respondents to evict the encroachment made by the 6th and 7th respondents as found in Survey No.63, Gudalur Village, Harur Taluk, Dharmapuri District being a panchayat Tar Road, within a time-frame.



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For the Petitioner : Mr.J.Pradeep
For the Respondents : Mr.J.Ravindran,
Additional Advocate-General,
assisted by Mr.A.Selvendran,
Special Government Pleader,
for respondents 1 to 3 and 5

Mr.P.Muthukumar,
State Government Pleader,
for the fourth respondent

ORDER

(Made by the Hon'ble Acting Chief Justice)

This writ petition has been filed seeking a Writ of Mandamus directing respondents 1 to 5 to evict the encroachment made by respondents 6 and 7 as found in Survey No.63, Gudalur Village, Harur Taluk, Dharmapuri District.

2. It is the case of the petitioner that there is a common pathway used by the villagers for taking cattle for grazing to Palayam Uttappattikallu. The respondents 6 and 7 have illegally blocked the said road by putting stones and thorns. The third respondent took action and removed the blockage on 08.09.2022. However, respondents 6 and 7 had again blocked the road by putting stones and thorns. In this regard, the petitioner has made a representation on 30.09.2022 to the second respondent. However, no action has been taken so far and hence the present writ petition has been filed.



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3. Heard learned counsel appearing for the parties.

4. A bare perusal of the photographs found at page No.31 of the typed set of papers shows the blockage of road. Without any wastage of time, the blockage should be removed and the road should be made accessible to the common people.

5. The first respondent, District Collector, Dharmapuri District, is directed to take immediate action, to remove the blockage/ encroachment made by respondents 6 and 7, by considering the representation made by the petitioner dated 30.09.2022. The encroachment shall be removed within a period of two weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above direction. There will be no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
20.01.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

To
1 The District Collector
Dharmapuri District

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and
D.BHARATHA CHAKRAVARTHY, J.

(tar)

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Harur, Dharmapuri District
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