



WEB COPY



W.P.No.36417 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2023

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

and

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.36417 of 2023

K.Nagalakshmi

... Petitioner

Vs.

1.The District Collector,
Erode District.

2.The District Revenue Officer,
Erode District.

3.The Revenue Divisional Officer,
Erode District.

4.The Assistant Director,
Panchayat, Erode District.

5.The Executive Officer,
Unjalur Village,
Kodumudi Taluk,
Erode District - 638 152.

6.Vinothkumar

... Respondents



W.P.No.36417 of 2023

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.11.2023 and 18.12.2023 within a time frame to be fixed by this Court.

For Petitioner : Mr.A.M.Amutha Ganesh
For Respondents : Mr.M.Bindran
Additional Government Pleader
for respondent Nos.1 to 5

ORDER

(Order of the Court was made by
ABDUL QUDDHOSE. J.,)

This writ petition has been filed for issuance of a mandamus directing respondent Nos.1 to 5 to consider the petitioner's representations dated 21.11.2023 and 18.12.2023 within a time frame to be fixed by this Court.

2. The petitioner claims that she is the owner of the property measuring an extent of 517-³/₄ sq.ft. in Old.S.F.No.378/A1 corresponding to Natham Survey No.238/13 and 14 of Unjalur village. According to the petitioner, the respondents have now surveyed the property and taken measurement and according to the respondents, the petitioner has



WEB COPY

encroached upon the northern portion of the natham land. The petitioner claims that she has not encroached any Government land. Hence, she has submitted representations to respondent Nos.1 to 5 on 21.11.2023 and 18.12.2023. In the said representations, she has denied any encroachment, but has offered her willingness to pay the market value/ guideline value for the alleged encroachment. However, according to the petitioner, till date, the representations of the petitioner have not been considered by the respondents. In such circumstances, this writ petition has been filed.

3. Mr.M.Bindran, learned Additional Government Pleader accepts notice on behalf of respondent Nos.1 to 5. He seeks time to get instructions.

4. However, this Court is of the considered view that no prejudice would be caused to the respondents if the petitioner's representations, as stated supra, are considered on merits and in accordance with law, within a time frame to be fixed by this Court.



W.P.No.36417 of 2023

5. Accordingly, this Court directs the third respondent to pass final orders on merits and in accordance with law on the petitioner's representations dated 21.11.2023 and 18.12.2023, after giving an opportunity to the petitioner as well as the sixth respondent and any other party whom respondent Nos.1 to 5 deems it fit to enquire, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the aforesaid directions, this Writ Petition is disposed of. No Costs.

(A.Q., J.)

(G.A.M., J.)

28.12.2023

Index : Yes/No
Speaking Order : Yes / No
bbr/dsa



W.P.No.36417 of 2017

To

1.The District Collector,
Erode District.

2.The District Revenue Officer,
Erode District.

3.The Revenue Divisional Officer,
Erode District.

4.The Assistant Director,
Panchayat, Erode District.

5.The Executive Officer,
Unjalur Village,
Kodumudi Taluk,
Erode District - 638 152.

WEB COPY



WEB COPY



W.P.No.36417 of 2023

**ABDUL QUDDHOSE. J.,
and
G.ARUL MURUGAN.J.**

bbr/dsa

W.P.No.36417 of 2023

28.12.2023