



WEB COPY

W.P(MD)No.328 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2023

CORAM :

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.328 of 2023

T.Rajadurai

... Petitioner

vs.

1. The District Collector,
Theni District.

2. The Revenue Divisional Officer,
Theni, Theni District.

3. The Tahsildar,
Theni,
Theni District.

4. The Assistant Executive Engineer,
Water Resources Management,
Old Government Hospital Road,
Theni, Theni District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment in Raja Vaikal in Theni Municipality within a stipulated time as fixed by this Court by considering petitioner's representation dated 06.12.2022 to the respondents 1 to 3 and on 14.12.2022 to the 4th respondent within a stipulated time as fixed by this Court.



For Petitioner : Mr.S.Ramasamy
For Respondents : Mr.P.Thilakkumar, Government Pleader

WEB COPY

ORDER**(Order of the Court was made by D.KRISHNAKUMAR, J.)**

The prayer in this writ petition is for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment in Raja Vaikal in Theni Municipality, by considering petitioner's representations dated 06.12.2022 and 14.12.2022 sent to the respondents 1 to 3 and 4 respectively, within a time frame.

2. Today, when the writ petition was taken up for hearing, learned Government Pleader appearing for the respondents, on written instructions, submitted that the place in question was surveyed wherein, 166 encroachers, nature and extent of encroachment were identified and thereafter, eviction proceedings were initiated by issuing Form-II Notice and Form-II Notice to the encroachers from 17.12.2018 to 24.06.2019. He further submitted that all the encroachments in the place in question will be removed at an earliest without any further delay. Learned Government Pleader also submitted that if there is any possibility for allotment of alternative sites to eligible persons, the same will be provided.



WEB COPY

3. Recording the said submission, this Writ Petition is disposed of directing the respondents to remove all the encroachments in the place in question by due process of law, within a period of four months from the date of receipt of a copy of this order. No costs.

[D.K.K.,J.] & [R.V.,J.]
12.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes

To

1. The District Collector,
Pudukkottai District,
Pudukkottai.

2. The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.

3. The Revenue Inspector,
Meemisal Pirka,
Avudaiyarkovil Taluk,
Pudukkottai District.

4. The Village Administrative Officer,
Pilluvalasai Revenue Village,
Avudaiyarkovil Taluk,
Pudukkottai District.



WEB COPY



W.P(MD)No.328 of 2023

D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

bala

ORDER MADE IN
W.P(MD)No.328 of 2023
DATED : 12.01.2023