



W.P.(MD) No.368 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.368 of 2023

Chelladurai

... Petitioner

-Vs-

1.The District Collector,
Collectorate Office,
Pudukottai, Pudukottai (Dist).

2.The Tahsildar,
Illupur Taluk Office,
Illupur, Pudukottai (District).

3.Anthony Samy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to remove the

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encroachments in 1) Survey No.209/8, 2) Survey 210 situated at Aariyur Revenue Village Ariyur Panchayat, Mathyanallur Post, Illupur (Taluk), Pudukottai based on the representation dated 23.11.2022.

For Petitioner : Mr.V.Selvakumar
For R1 & R2 : Mr.P.Thilak Kumar
Government Pleader

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

This Writ Petition is filed seeking issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to remove the encroachments made in Survey Nos.209/8 and 210 situated at Aariyur Revenue Village, Ariyur Panchayat, Mathyanallur Post, Illupur (Taluk), Pudukottai, based on the representation of the petitioner dated 23.11.2022.

2.Mr.P.Thilak Kumar, learned Government Pleader takes notice for the respondents 1 and 2. Considering the nature of order proposed to be passed, notice to the 3rd respondent is dispensed with.

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3.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4.Pointing out the encroachment made by the 3rd respondent in the lands in question, the petitioner made several representations to the official respondents, lastly on 23.11.2022. Since the same have not been considered till date, the petitioner has approached this Court with the aforesaid prayer.

5.The learned Government Pleader appearing for the respondents 1 and 2, on instructions, submitted that the representation of the petitioner dated 23.11.2022 would be considered and appropriate action would be taken on merits and in accordance with law.

6.In view of the above, without going into the merits of the case, we are inclined to direct the authorities concerned to consider the representation of the petitioner dated 23.11.2022 and pass appropriate orders on its own merits

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and in accordance with law, after providing sufficient opportunity of hearing to all the parties concerned, including the 3rd respondent. Such an exercise shall be completed as early as possible, preferably, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands disposed of. No costs.

[D.K.K., J.] & [R.V., J.]
09.01.2023

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

To

1. The District Collector,
Collectorate Office,
Pudukottai, Pudukottai (dist).

2. The Tahsildar,
Illupur Taluk Office,
Illupur, Pudukottai (District).

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