



W.P(MD)No.621 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.01.2023

CORAM:

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

W.P(MD)No.621 of 2023

M.Kadavul @ Subramanian

... Petitioner

VS.

1.The District Collector,
Trichirapalli District,
Trichy.

2.The Commissioner,
Trichy City Corporation,
Trichy.

3.The Assistant Commissioner,
Ariyamangalam Zone,
Trichy City Corporation, Trichy.

4.M.Thiyagarajan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to consider the representation of the petitioner, dated 12.12.2022 and remove the encroachment made by the fourth respondent herein in poramboke land situated in T.S.No.62, Ward F, Block 22, Gandhi Nagar, Cinthamani, Trichirappalli.

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For Petitioner : Mr.A.Chandrakumar

For R – 1 : Mr.V.Nirmal Kumar
Government Advocate

For RR 2 & 3 : Mr.R.Baskaran
Standing Counsel

For R – 4 : Mr.S.Malaikani

ORDER

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

The prayer in this Writ Petition is seeking for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to consider the representation of the petitioner, dated 12.12.2022 and remove the encroachment made by the fourth respondent herein in poramboke land situated in T.S.No.62, Ward F, Block 22, Gandhi Nagar, Cinthamani, Trichirappalli.

2. According to the petitioner, he is a resident of Cinthamani Village and the fourth respondent is residing at Western side of his house. The fourth respondent constructed his house by encroaching the poramboke



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land in T.S.No.62, without obtaining any prior approval from the second respondent. Hence, the petitioner made a representation, dated 12.12.2022 to the official respondents. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

3. The learned counsels appearing for the respondents 1 to 3, on instructions, submitted that the representation of the petitioner, dated 12.12.2022 would be considered and appropriate action will be taken in accordance with law.

4. In view of the abovesaid submission, without going into the merits of the claim made by the petitioner, the second respondent is directed to consider the representation of the petitioner, dated 12.12.2022 and pass appropriate orders, on merits and in accordance with law. If there is any encroachment as claimed by the petitioner, after issuing notice to all other parties including the fourth respondent, the second respondent shall take necessary action for removal of the encroachment, after affording sufficient opportunity of personal hearing to all the parties concerned and by following due process of law, within a period of twelve weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of. No costs.

[D.K.K.,J.] [R.V.,J.]
10.01.2023

Index : Yes / No
Internet : Yes
ps

To

- 1.The District Collector,
Trichirapalli District,
Trichy.
- 2.The Commissioner,
Trichy City Corporation,
Trichy.
- 3.The Assistant Commissioner,
Ariyamangalam Zone,
Trichy City Corporation,
Trichy.



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

ps

ORDER MADE IN
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DATED : 10.01.2023