



W.P.(MD) No.19743 of 2013

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.19743 of 2013

Chockalingam

... Petitioner

Vs.

- 1.The District Collector,
District Collector Office,
Sivagangai District,
Sivagangai,
- 2.The District Revenue Officer,
O/o. District Revenue Office,
Sivagangai,
Sivagangai District.
- 3.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Devakottai,
Sivagangai District.



W.P.(MD) No.19743 of 2013

WEB COPY

4.The Tahsildar,
O/o. Tahsildar,
Thiruppathur,
Sivagangai District.

5.The President,
Kirungakottai Panchayat,
Kirungakottai,
Thiruppathur Taluk,
Sivagangai District.

6.Senthil

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the unlawful obstruction made by the 6th respondent in the North-South street annexing the main East-West street in the Vellapoorani, Kirungakottai Village, Thiruppathur Taluk, Sivagnagai District by considering the petitioner's representation dated 25.11.2013 with in the time stipulated by this Court.

For Petitioner : No Appearance

For Respondents : Mr.M.Sarangan,
Addl. Govt. Pleader for R1 to R5
No Appearance for R6



W.P.(MD) No.19743 of 2013

WEB COPY

ORDER

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

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to remove the unlawful obstruction made by the 6th respondent in the North-South street annexing the main East-West street in the Vellapoorani, Kirungakottai Village, Thiruppathur Taluk, Sivagnagai District by considering the petitioner's representation dated 25.11.2013, within a time frame.

2. There is no representation for the petitioner.

3. Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents submitted that though the petitioner has not mentioned the survey number of the encroached property, the respondents have identified the same and found that the 6th respondent has made an encroachment in the property in S.No.217/2, which is classified as water



W.P.(MD) No.19743 of 2013

body. He further submitted that necessary action will be taken for removal of the encroachment within a time frame.

4. Recording the aforesaid submission, this Writ Petition is disposed of with a direction to the authorities concerned to remove the encroachment in the property in question, after affording sufficient opportunity to all the parties, including the 6th respondent and by following due process of law. Such an exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order. No costs.

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

09.01.2023

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



W.P.(MD) No.19743 of 2013

WEB COPY

To

- 1.The District Collector,
District Collector Office,
Sivagangai District,
Sivagangai,
- 2.The District Revenue Officer,
O/o. District Revenue Office,
Sivagangai,
Sivagangai District.
- 3.The Revenue Divisional Officer,
O/o. Revenue Divisional Office,
Devakottai,
Sivagangai District.
- 4.The Tahsildar,
O/o. Tahsildar,
Thiruppathur,
Sivagangai District.
- 5.The President,
Kirungakottai Panchayat,
Kirungakottai,
Thiruppathur Taluk,
Sivagangai District.



WEB COPY



W.P.(MD) No.19743 of 2013

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

vsm

W.P.(MD) No.19743 of 2013

09.01.2023