



W.P(MD)No.1286 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2023

CORAM:

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

W.P(MD)No.1286 of 2023

R.Priyadharshni

... Petitioner

VS.

1.The Tahsildar,
O/o. Uthamapalayam Taluk Office,
Uthamapalayam,
Theni District.

2.Ganesan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to consider the representation of the petitioner dated 15.11.2021 within a time frame as fixed by this Court and to remove the encroachment made by the second respondent in the Palace Street-Public Road, Kombai Village, Uthamapalayam Taluk, Theni District.

For Petitioner : Mr.M.Ponniah

For R – 1 : Mr.K.Balasubramani
Special Government Pleader



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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 first respondent to consider the representation of the petitioner dated 15.11.2021 within a time frame as stipulated by this Court and to remove the encroachment made by the second respondent in the Palace Street-Public Road, Kombai Village, Uthamapalayam Taluk, Theni District.

2. According to the petitioner, she made a representation, dated 15.11.2021 to the first respondent seeking for removal of the encroachment made by the second respondent in the road. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

3. The learned Special Government Pleader appearing for the first respondent, on instructions, submitted that the representation of the petitioner, dated 15.11.2021 would be considered and appropriate action will be taken in accordance with law.



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4. In view of the abovesaid submission, without going into the merits of the claim made by the petitioner, the first respondent is directed to consider the representation of the petitioner, dated 15.11.2021 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 second respondent, the first 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.

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

[D.K.K.,J.] [R.V.,J.]
24.01.2023

Index : Yes / No
Internet : Yes
ps

To

The Tahsildar,
O/o. Uthamapalayam Taluk Office,
Uthamapalayam,
Theni District.

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

ps

ORDER MADE IN
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