



W.P(MD)No.1344 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.1344 of 2023

Chinnasamy

... Petitioner

VS.

- 1.The District Collector,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
- 3.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.
- 4.The President,
Mithirankudi Village Panchayat,
Karaikudi Taluk,
Sivagangai District.

5.Karuppaiah

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made by the fifth respondent in the land



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comprised in Survey No.529/8 situated in Mithirangudi Village, Pananvayal Post, Karaikudi Taluk, Sivagangai District admeasures to an extent of 2 acre and 25 cents on the basis of the representations of the petitioner, dated 05.12.2022 and 07.01.2023.

For Petitioner : Mr.G.Senthil Murugan

For RR 1 to 3 : Mr.M.Sarangam
Additional Government Pleader

For R – 4 : Mr.P.T.Thiraviyam
Government Advocate

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 1 to 4 to remove the encroachment made by the fifth respondent in the land comprised in Survey No.529/8 situated in Mithirangudi Village, Pananvayal Post, Karaikudi Taluk, Sivagangai District admeasures to an extent of 2 acre and 25 cents on the basis of the representations of the petitioner, dated 05.12.2022 and 07.01.2023.



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2. According to the petitioner, he made representations, dated 05.12.2022 and 07.01.2023 to the respondents 1 to 4 seeking for removal of the encroachment made by the fifth respondent. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

3. The learned Additional Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that notice has been served to the wife of the fifth respondent and appropriate action will be taken in accordance with law.

4. In view of the abovesaid submission, the first respondent is directed to 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 eight 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.]
24.01.2023

Index : Yes / No
Internet : Yes
ps

To

- 1.The District Collector,
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D.KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
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DATED : 24.01.2023