



W.P(MD)No.1548 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2023

CORAM:

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

W.P(MD)No.1548 of 2023

T.Rathinavel

... Petitioner

VS.

- 1.The District Collector,
Office of the Collectorate, theni,
Theni District.
- 2.The Block Development Officer,
Village Panchayat, Andipatty Taluk,
Theni District.
- 3.The Tahsildar,
Taluk Office, Andipatty,
Theni District.

4.Ponnuthai

... 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 3 to remove the encroachment made by the fourth respondent at public street in S.No.2650/28 which is situated at Sidaiyagoundanpatti Village, Andipatty Bit – II, Andipatty, Theni District by considering the petitioner's representations, dated 12.12.2022 and 29.12.2022.

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For Petitioner : Mr.J.Senthil Kuaraiah

For RR 1 & 3 : Mr.M.Sarangan
Additional Government Pleader

For R - 2 : Mr.K.Balasubramani
Special Government Pleader

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 3 to remove the encroachment made by the fourth respondent at public street in S.No.2650/28, which is situated at Sidaiyagoundanpatti Village, Andipatty Bit – II, Andipatty, Theni District by considering the petitioner's representations, dated 12.12.2022 and 29.12.2022.

2. According to the petitioner, the fourth respondent had tried to put up entrance steps of her house on the public street. Hence, the petitioner made representations, dated 12.12.2022 and 29.12.2022 to the respondents 1 to 3 seeking for removal of the encroachment. Since the



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same has not been considered so far, the petitioner has filed the present Writ Petition.

3. The learned counsels appearing for the respondents submitted that the representations of the petitioner, dated 12.12.2022 and 29.12.2022 would be considered on merits and in accordance with law.

4. In view of the abovesaid submission, without going into the merits of the claim made by the petitioner, the respondents 1 to 3 are directed to consider the representations of the petitioner, dated 12.12.2022 and 29.12.2022 and pass appropriate orders, on merits and in accordance with law as early as possible.

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

Index : Yes / No
Internet : Yes
ps

[D.K.K.,J.] [R.V.,J.]
27.01.2023



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

ps

ORDER MADE IN
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DATED : 27.01.2023