



W.P(MD)No.3712 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2023

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU**

W.P(MD)No.3712 of 2023

P.Gopalakrishnan

... Petitioner

VS.

- 1.The District Collector,
Dindigul District,
Dindigul Collectorate,
Chettinaickenpatti,
Dindigul.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Spencer Compound,
Dindigul.
- 3.The Tahsildar,
Office of the Tahsildar,
Rajagopalapuram,
Vedasanthur Taluk,
Dindigul District.
- 4.The Block Development Officer,
Office of the Block Development Office,
Vadamadurai,
Dindigul District.



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5.The Village Administrative Officer,
Office of the Village Administrative Officer,
140, Main Road, Vendasandur Taluk,
Padiyur,
Dindigul District.

6.The President,
Village Panchayat,
140, Main Road, Vendasandur Taluk,
Padiyur,
Dindigul District.

7.S.Palanichamy

8.Ganesan

9.P.Murugan

10.P.Rajendiran

11.C.Iyappan

12.C.Thirupathi

... 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 6 to remove the encroachment made by the respondents 7 to 12 on the public pathway comprising in Survey No.1906/1 situated at Padiyur, Vedsanthur Taluk, Dindigul District by considering the petitioner's representation sent to the respondents 1 to 6, dated 25.01.2023.



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For Petitioner	: Mr.L.Prabhu
For RR 1 to 3 & 5	: Mr.P.T.Thiraviyam Government Advocate
For RR 4 & 6	: Mr.K.Balasubramani Special Government Pleader

ORDER

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

The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to remove the encroachment made by the respondents 7 to 12 on the public pathway comprised in Survey No.1906/1 situated at Padiyur, Vedasanthur Taluk, Dindigul District by considering the petitioner's representation, dated 25.01.2023.

2. Seeking removal of encroachment made by the respondents 7 to 12 in the property comprised in Survey No.1906/1, which is classified as a public pathway, the petitioner submitted a representation, dated 25.01.2023 before the respondents 1 to 6. Since the same has not been considered, the petitioner has filed the present Writ Petition.



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3.When the matter is taken up for hearing today, the learned Government Advocate appearing for the respondents 1 to 3 and 5 submitted that, as per the records, the property comprised in Survey No.1906/1 has been classified as a street. The official respondents will take necessary action for survey of the property and take steps for removal of encroachment in the aforesaid land in question, in accordance with law.

4.In view of the abovesaid submission, we direct the respondents 4 and 6 to consider the representation of the petitioner, dated 25.01.2023 and pass appropriate orders on merits and in accordance with law. The authorities concerned are directed to survey and measure the property with the assistance of the Taluk Surveyor. If it is found that there are encroachments on the street, after issuing notice to all other parties concerned, the authorities concerned shall take necessary action for removal of such 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.] [P.D.A.,J.]
23.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes
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To

1. The District Collector,
Dindigul District, Dindigul Collectorate,
Chettinaickenpatti, Dindigul.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Spencer Compound, Dindigul.
3. The Tahsildar,
Office of the Tahsildar,
Rajagopalapuram,
Vedasanthur Taluk,
Dindigul District.
4. The Block Development Officer,
Office of the Block Development Office,
Vadamadurai, Dindigul District.
5. The Village Administrative Officer,
Office of the Village Administrative Officer,
140, Main Road, Vedasandur Taluk,
Padiyur, Dindigul District.
6. The President,
Village Panchayat,
140, Main Road, Vedasandur Taluk,
Padiyur, Dindigul District.



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D.KRISHNAKUMAR,J.
and
P.D.AUDIKESAVALU,J.

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ORDER MADE IN
W.P(MD)No.3712 of 2023

DATED : 23.02.2023