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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:**04.01.2023**

CORAM:

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

W.P(MD)NO.18385 of 2021

S.Veeramuthu

:Petitioner

.VS.

1.The District Collector,
Office of the Collectorate,
Pudukkottai District.

2.The Revenue Divisional Officer,
Pudukkottai,
Pudukkottai District.

3.The Tahsildar,
Pudukkottai,
Pudukkottai District.

4.The Zonal Development Officer,
Kunnandar Kovil,
Annavasal,
Pudukkottai District.

5.R.Kasiviswanathan

6.S.Subramanian

7.N.Rethinam

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the



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respondents 1 to 4 to remove the encroachment made by the respondents 5 to 7 on the public pathway property situated in S.No.10, Melur, Agamudaiyar Street, Sathyamangalam Post, Kulathur Taluka, Pudukkottai District and to consider the Petitioner's representation on 19.08.2021 and laying the Thar Road in S.No.10 of Melur Village and pass appropriate orders within the time stipulated by this Court.

For Petitioner :Mr.K.Narendra Prasad

For Respondents :Mr.P.Thilak Kumar
1 to 3 Govt.Pleader

For Respondents :Mr.B.Jameel Arasu
5 to 7

For Respondent-4 :No appearance

O R D E R

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

This Writ Petition is filed seeking for removal of the encroachment made by the respondents 5 to 7 in the public pathway property situated in S.No.10, Melur, Agamudaiyar Street, Sathyamangalam Post, Kulathur Taluka, Pudukkottai District and to consider the Petitioner's representation,dated 19.08.2021 and laying the Thar Road in S.No.10 of Melur Village and to pass appropriate orders within the time limit prescribed by this Court.



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2.The learned counsel for the Petitioner submitted that he has submitted a representation, dated 19.08.2021 to the official respondents for removal of the encroachments made by the respondents 5 to 7 in the above said village. Since the same was not considered by the respondents 1 to 4, the Petitioner has filed this Writ Petition for the relief stated supra.

3.The learned Government Pleader appearing for the respondents 1 to 3, on instructions, would submit that the aforesaid property was classified as a "water body(Kulam)".Therefore the official respondents will take necessary action for removal of the encroachments made by the encroachers, in accordance with law.

4.In view of the above submission, without expressing any opinion on the merits of the matter, this Court directs the third respondent to initiate action for removal of the encroachments made in the aforesaid property, based on the representation of the Petitioner, dated 19.08.2021 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned, within a period of 12 weeks from the date of receipt of a copy of this order.



5. With the above direction, the Writ Petition stands disposed

of. No costs.

[D.K.K.,J.] [R.V.,J.]
04.01.2023

Index: Yes/No

Internet: Yes/No

NCC : Yes/No

vsn

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D.KRISHNAKUMAR, J.

AND

R.VIJAYAKUMAR, J.

vsn

ORDER MADE IN

W.P(MD)NO.18385 of 2021

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