



W.P.(MD)No.20571 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :02.02.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.20571 of 2014

A.Noorulkutha

... Petitioner

Vs.

1.The District Collector,
Thanjavur District.

2.The Tahsildar,
Peravurani,
Thanjavur District.

3.The Village Administrative Officer,
Kupputhevan Panchayat,
Kupputhevan Village,
Thanjavur District.

4.The Panchayat President,
Kupputhevan Panchayat,
Kupputhevan Village,
Thanjavur District.

5.Chellamaraikayar @ Sahul Hameed

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of mandamus, directing the first respondent to remove the encroachment from the petitioner's land in Survey No.289/3 by demolishing the illegally constructed Government Subsidized Toilet Building.

For Petitioner :Mr.T.Indrachithu

For Respondents :Mr.M.Prakash
Additional Government Pleader for R1 to R4

:No appearance for R5

ORDER

The writ petition has been filed seeking for a mandamus, directing the first respondent to remove the encroachment from the petitioner's land in Survey No.289/3 by demolishing the illegally constructed Government Subsidized Toilet Building.

2.The case of the petitioner is that she is the owner of the land in Survey No.289/3 and that the fourth respondent had illegally constructed a toilet building in the aforesaid land, at the instigation of the fifth respondent. Hence, the petitioner had made several representations to



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various authorities for demolishing the illegally constructed Government toilet. By proceedings dated 03.10.2013, the Assistant Director of Rural Development Agency (Panchayats), Thanjavur had called upon the Block Development Officer, Sethubavachathiram to look into the complaint made by the petitioner. By further letter dated 26.12.2013, the Assistant Director of Rural Development Agency (Panchayats), had again called upon the Block Development Officer, Sethubavachathiram, to submit a report. Even, thereafter, no action has been initiated.

3.Having considered the facts of the case, the petitioner is directed to make a fresh representation along with previous proceedings of various authorities to the first respondent within a period of two weeks from the date of receipt of a copy of this order and the first respondent also being the Inspector of Panchayat is directed to consider such representation within a period of eight weeks, thereafter, and pass appropriate orders on merits and in accordance with law.



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4.With the above directions, this writ petition stands disposed of.

There shall be no order as to costs.

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Index : Yes / No

Speaking Order/Non Speaking Order

sbm

To

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K.KUMARESH BABU, J.

sbn

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