



W.P.(MD)No.519 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :14.02.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.519 of 2015

and

M.P.(MD).No.1 of 2015

Seruvakone

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Tahsildar,
Vadipatti Taluk,
Madurai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the second respondent to implement the order passed by the first respondent vide his proceeding in Na.Ka.No.39739/2013/J3 dated 30.10.2014.

For Petitioner :Mr.A.Jayaramachandran

For Respondents :Mr.M.Prakash
Additional Government Pleader



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ORDER

This writ petition has been filed seeking for a mandamus, directing the second respondent to implement the order passed by the first respondent vide his proceeding in Na.Ka.No.39739/2013/J3 dated 30.10.2014.

2.The first respondent had issued a communication dated 30.10.2014 in Na.Ka.No.39739/2013/J3. This communication had been addressed to the second respondent to take action on the petitioner's representation and to file a report to the first respondent. The petitioner had also taken out the Miscellaneous Petition to implead the third and fourth respondents who are the alleged encroachers.

3.The learned Additional Government Pleader would submit that the third and fourth respondents have made encroachment as alleged by the petitioner. However, due to the pendency of the writ petition, no action has been initiated.



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4. Even though an impleading application is already filed by the petitioner, no notice has been ordered I also do not propose to issue any notice, since I propose to direct the second respondent to initiate action on the representation of the petitioner only after issuance of notice to the proposed third and fourth respondents. There shall be a direction to the second respondent to proceed further on the representation of the petitioner as directed by the first respondent in his communication dated 30.10.2014, within a period of twelve weeks from the date of receipt of a copy of this order, after issuing notice to the encroachers.

5. With the aforesaid direction, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

14.02.2023

NCC : Yes/No

Internet : Yes/No

Index : Yes/No

sbm



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K.KUMARESH BABU, J.

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