



W.P(MD).No. 683 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2023

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.683 of 2015

Malar

..... Petitioner

- Vs-

1. The District Collector,
Theni District Collector,
Theni.
2. The Tahsildar,
Aundipatti Taluk,
Theni District.
3. The Special Tahsildar,
Adi Dravidar Welfare,
Theni District,
Theni.
4. The Commissioner,
Aundipatti Panchayat Union,
Aundipatti Taluk,
Theni District.
5. The Public Health Officer,
Theni District,
Theni.



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6. The President,
Ptichampatti Village Panchayat,
Aundipatti Taluk,
Theni District.

7. Ramar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 6 to remove the encroachment made by the seventh respondent in S.No.559/1A2 of Pitchampatti Village, Aundipatti Taluk, Theni District with further direction to abate the nuisance.

For Petitioners : Mr.D.Malaichamy

For Respondents : Mr.V.Om Prakash
Government Advocate
for R1 to R3 and R5

: No appearance – For R4

: Mr.S.Satheesh Kumar
For R6

: Mr.B.Jeyakumar
For R7



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ORDER

This writ petition has been filed seeking for a Writ of Mandamus, to direct the respondents 1 to 6 to remove the encroachment made by the seventh respondent in S.No.559/1A2 at Pitchampatti Village, Aundipatti Taluk, Theni District.

2. The learned counsel for the petitioner had filed a report of the third respondent herein. A perusal of the report would reveal that the seventh respondent is not in encroachment of S.No.559/1A2, which was an acquired land, as claimed by the petitioner. However, the report proceeds to state that the seventh respondent is in encroachment of a road, for which, the second respondent along with the authority to take any action.

3. In view of the above said report, the second respondent is directed to find out, if any encroachment has been made by the seventh respondent in the road as indicated in the report, dated 07.10.2014 of the third respondent. If any such encroachment is made, the second respondent is directed to take



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appropriate action and pass orders on merits and in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. With the above said direction, this Writ Petition is disposed of.

There shall be no order as to costs.

01.03.2023

NCC: Yes / No

Index : Yes / No

Internet : Yes / No

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To

1. The District Collector,
Theni District Collector,
Theni.

2. The Tahsildar,
Aundipatti Taluk,
Theni District.

3. The Special Tahsildar,
Adi Dravidar Welfare,
Theni District,
Theni.

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4. The Commissioner,
Aundipatti Panchayat Union,
Aundipatti Taluk,
Theni District.
5. The Public Health Officer,
Theni District,
Theni.
6. The President,
Ptichampatti Village Panchayat,
Aundipatti Taluk,
Theni District.



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K.KUMARESH BABU, J.

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Order made in
W.P(MD)No. 683 of 2015

01.03.2023