



W.P.(MD)No.894 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.894 of 2015

and

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

K.Sevathamariappan

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District.

2.The Block Development Officer,
Ottapidaram, Thoothukudi District.

3.The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.

4.The Panchayat President,
Puthiamputhur Panchayat,
Thoothukudi District.

5.The Inspector of Police,
Puthiamputhur Police Station,
Thoothukudi District.

6.Mr.Thangaraj

... Respondents



W.P.(MD)No.894 of 2015

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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 unauthorized construction put up by the sixth respondent in Survey No.30/6B, Puthiamputhur Village, Ottapidaram Taluk, Thoothukudi District by implementing the proceeding in A3/4197/2014 dated 18.12.2014 by the second respondent.

For Petitioner :Mr.G.Prabhu Rajadurai

For Respondents :Mr.G.Siva Raja
Government Advocate for R1 to R3

:Mr.M.Rajarajan for R4

:Mr.R.M.S.Sethuraman
Additional Public Prosecutor for R5

:Mr.G.Thalaimutharasu for R6

ORDER

This writ petition has been filed seeking for a mandamus to direct the first respondent to remove the encroachment based upon the communication issued by the second respondent.



W.P.(MD)No.894 of 2015

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2. The second respondent herein had sent a communication to the petitioner informing him that the alleged encroachment would be removed after verifying the revenue records. Since no further action has been initiated, the petitioner had approached this Court by way of this writ petition.

3. In the present case on my hand, the petitioner had submitted a representation as early as in the year 2014 and the second respondent had also intimated to the petitioner that action will be initiated after verification of the revenue records.

4. In view of the said communication, I direct the fourth respondent to proceed further with the communication issued by the second respondent, proceeding in A3/4197/2014 dated 18.12.2014. However, after giving opportunity to all concerned parties, such proceedings shall be initiated by the fourth respondent within a period of twelve weeks from the date of receipt of a copy of this order.



W.P.(MD)No.894 of 2015

WEB COPY

5. With the above 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
sbn

To

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4. The Panchayat President,
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Thoothukudi District.
5. The Inspector of Police,
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W.P.(MD)No.894 of 2015

K.KUMARESH BABU, J.

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W.P.(MD)No.894 of 2015
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