



W.P(MD)No.27770 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2023

CORAM :

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

W.P(MD)No.27770 of 2022

S.Veerusinnu

... Petitioner

VS.

1. The District Collector,
Collectorate,
Madurai.

2. The Tahsildar,
Office of the Tahsildhar,
Vadipatti Taluk,
Madurai District.

3. The Block Development Officer,
Alaganallur Union,
Madurai District.

4. The Village Administrative Officer,
Valaiyapatti Village,
Vadipatti Taluk,
Madurai District.

5. Chellachami

6. Mohan @ Muthiah

1/6



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7. Senthamarai

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 1st to 4th respondents to remove the encroachment made by the 5th to 7th respondents in bearing survey number 285/1 situated at Valaiyapatti Village, Vadipatti Taluk, Madurai District within the stipulated time fixed by this Court based upon the petitioner's representation dated 16.09.2022.

For Petitioner	: Mr.M.Suresh
For R1, R2 & R4	: Mr.K.Balasubramani Additional Government Pleader
For R3	: Mr.P.T.Thiraviyam Government Advocate
For R5	: Mr.S.Vellaichamy
For R6 & R7	: No appearance

ORDER

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

The prayer in this writ petition is for issuance of a Writ of Mandamus, directing the 1st to 4th respondents to remove the encroachment made by the 5th to 7th respondents in bearing survey number 285/1 situated at Valaiyapatti Village, Vadipatti Taluk, Madurai



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District, within a time frame, based upon the petitioner's representation dated 16.09.2022.

2. The 3rd respondent has filed a status report and the relevant portion thereof reads as follows:-

"2. It is submitted that the land in Survey No.285/1 to an extent of 1.50.0 hectares, Valaiyapatti Village, Vadipatti Taluk classified as Wate Stream area (Government Purampugal Oodai) as per the revenue records.

3. It is further submitted that the 2nd Respondent/Tahsildar had prepared Form-1 along with Plan in Survey No.285/1 and the same was sent to me through his letter bearing Na.Ka.No.5035/B3/2022 dated 07.12.2022. As per Form-1 it was found that (1) Chellachamy/5th respondent, (2) Muthiah/6th respondent, (3) S.Veeruchinnu, (4) K.Periyasamy had encroached in Survey No. 285/1, Valaiyapatti Village, Vadipatti Taluk.

4. It is further submitted that after receiving Letter in Na.Ka.No.5035/B3/2022



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dated 07.12.2022 along with Form-1 from Tahsildar/2nd Respondent, I sent a letter in Na.Ka.No.1342/2012/T2 dated 12.12.2022 to the President of Valaiyapatti Panchayat for taking action against the abvoe said encroachers."

3. Recording the aforesaid status report, the Writ Petition is disposed of directing the 3rd respondent to issue suitable instructions to the President of Valaiyapatti Panchayat to take necessary action for removal of the aforesaid encroachments in the place in question, after affording sufficient opportunity to all the parties concerned including the private respondents herein and by following due process of law.
No costs.

[D.K.K.,J.] & [R.V.,J.]
20.01.2023

Index : Yes / No
Internet : Yes
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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

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ORDER MADE IN
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