



W.P.(MD)No.30298 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD)No.30298 of 2023

S.Dhanasekaran

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Sivaganga Division,
Sivaganga.

2.The Thasildar,
Thiruppuvanam Taluk,
Sivaganga District.

3.The President,
Thuthai Panchayat,
Thuthai Village,
Thiruppuvanam Taluk,
Sivaganga District.

4.Sangeetha

5.Thirusangu

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to forbear the respondents 2 and 3 to lay the road in



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petitioner's patta land in survey No.222/17 in Thuthai Village and consequently, to direct the respondents 1 to 3 herein to remove the encroachment made by 4th and 5th respondents in Survey No.219/15 in Thuthai Village, Thiruppuvanam Taluk, Sivaganga District, based on the representation of the petitioner dated 04.12.2023.

For Petitioner : Mr.V.S.Kumara Guru

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader
for R1 to R3

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

The relief sought for in this Writ Petition is to forbear the respondents 2 and 3 to lay the road in petitioner's patta land in survey No.222/17 in Thuthai Village and to direct the respondents 1 to 3 herein to remove the encroachment made by 4th and 5th respondents in Survey No.219/15 in Thuthai Village, Thiruppuvanam Taluk, Sivaganga District.

2. By consent of both sides, the Writ Petition itself is taken up for final disposal at the time of admission itself. Considering the nature of the order proposed to be passed in this Writ Petition, protecting the interests of the respondents 4 & 5 also, notice to the respondents 4 & 5 is dispensed with.



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3. With reference to the relief sought for in the Writ Proceedings, the learned Additional Government Pleader appearing on behalf of the respondents 1 to 3, on instructions made a submission that the authorities have already initiated action to remove the encroachments and survey has already been completed.

4. That being so, the respondents 1 to 3 shall proceed further by following the procedures contemplated and remove the encroachments within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. No costs.

(S.M.S., J.) & (V.L.N., J.)
19.12.2023

NCC : Yes / No

Index : Yes / No

SJ

To

1.The Revenue Divisional Officer,
Sivaganga Division,
Sivaganga.

2.The Thasildar,
Thiruppuvanam Taluk,
Sivaganga District.

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S.M.SUBRAMANIAM, J.

AND

V.LAKSHMINARAYANAN, J.

SJ

3.The President,
Thuthai Panchayat,
Thuthai Village,
Thiruppuvanam Taluk,
Sivaganga District.

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