



W.P.No.18580 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.18580 of 2024

T.Bakthavachalam

.. Petitioner

VS

- 1.The District Collector,
Namakkal District,
Namakkal.
- 2.The Revenue Divisional Officer,
Paramathi Vellore Taluk,
Paramathi Vellore,
Namakkal District.
- 3.The Thasildhar,
Paramathi Vellore Taluk,
Paramathi Vellore,
Namakkal District.
- 4.The Village Administrative Officer,
Kothamangalam Post Office,
Paramathi Vellore Taluk,
Namakkal District.



W.P.No.18580 of 2024

5.N.Magudapathi
6.Kunavathi
7.S.Krishna Swamy
8.Thamizhselvi

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing respondents 1 to 4 to remove the encroachments of respondents 5 to 8 and restore Survey No.211 which is classified as cart track i.e., Vandi pathai, situated at Kothamangalam Village, Paramathi Vellore Taluk, Namakkal District based on the petitioner representation dated 1.4.2024.

For the Petitioner : Mr.R.Muruga Bharathi

For the Respondents : Mr.Karthik Jagannath
Government Advocate
for respondents 1 to 4

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

This writ petition has been filed by the petitioner for issuance of a writ of mandamus directing respondents 1 to 4 to remove the encroachments made by respondents 5 to 8 in Survey No.211, which is classified as cart track and to restore the same based on the representation of the petitioner dated 1.4.2024.



W.P.No.18580 of 2024

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2. Learned counsel for the petitioner submitted that, as per revenue records, Survey No.211 is classified as "Vandi Pathai (Cart Track)". While so, the respondent authorities, without verifying the same, are proceeding to issue pattas to individuals. In this regard, the petitioner has submitted a representation on 1.4.2024 to the respondent authorities. As the said representation did not evoke any response, the petitioner has filed the present writ petition.

3. Learned Government Advocate, on instructions, submitted that the respondent authorities shall pass orders on the representation of the petitioner dated 1.4.2024 on merits and in accordance with law, after affording opportunity to all concerned.

4. Recording the submission made by learned Government Advocate and without expressing any opinion on the merits of the matter, the writ petition is disposed of by directing the respondent authorities to consider the representation of the petitioner dated 1.4.2024 and pass orders on merits and in accordance with law, of course after affording opportunity to all concerned, within a period of



W.P.No.18580 of 2024

eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

(R.M.D., ACJ.) (M.S.Q., J.)
11.07.2024

Index : Yes/No
NC : Yes/No
bbr

To:

- 1.The District Collector,
Namakkal District,
Namakkal.
- 2.The Revenue Divisional Officer,
Paramathi Vellore Taluk,
Paramathi Vellore,
Namakkal District.
- 3.The Thasildhar,
Paramathi Vellore Taluk,
Paramathi Vellore,
Namakkal District.
- 4.The Village Administrative Officer,
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W.P.No.18580 of 2024

THE HON'BLE ACTING CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ,J.

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W.P.No.18580 of 2024

11.07.2024