



W.P.No.26683 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2024

CORAM :

THE HON'BLE MR.D.KRISHNAKUMAR, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.B.BALAJI

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R.SIVAPPA @ R.SIVARAJ

.. Petitioner

Vs

1. THE DISTRICT COLLECTOR
DISTRICT COLLECTOR OFFICE,
KRISHNAGIRI DISTRICT.
2. THE SUB COLLECTOR
DENKANIKOTTAI TALUK,
SUB COLLECTOR OFFICE,
HOSUR TOWN, KRISHNAGIRI DISTRICT.
3. THE TAHSILDAR
DENKANIKOTTAI TALUK OFFICE,
DENKANIKOTTAI, KRISHNAGIRI DISTRICT.
4. DEVARAJ
5. MADESH
6. BIRAPPA
7. BACHAPPA

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing respondents 1 to 3 to move encroachments and barbed wire fence put up by respondents 4 to 7 in the public pathway comprised in Survey No.173/1A3 and S.No.174/1F and in front of house in S.Nos.173/3 and 174/2B situated



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at Bithreddy village, Denkanikottai Taluk, Krishnagiri District, by considering the petitioner's representation sent to respondents 2 and 3 by registered post on 06.08.2024 within a stipulated time.

For the Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.M.Habeeb Rahman
Government Advocate
for respondents 1 to 3

ORDER

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

Seeking removal of the encroachments and barbed wire fence put up by respondents 4 to 7 on the public pathway comprised in Survey No.173/1A3 and S.No.174/1F and in front of house in S.Nos.173/3 and 174/2B situated in Bithreddy village, Denkanikottai Taluk, Krishnagiri District, the petitioner sent a representation on 6.8.2024 to respondents 1 to 3. As no action was taken based on the said representation, the present writ petition is filed.

2. Considering the narrow scope of the prayer made in the writ petition, without expressing any opinion on the merits of the



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matter, we dispose of the writ petition with a direction to respondents 1 to 3 to consider the representation of the petitioner dated 6.8.2024 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity to respondents 4 to 8. The entire exercise shall be concluded within a period of twelve weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

(D.K.K., ACJ.) (P.B.B, J.)
12.09.2024

Index : Yes/No
NC : Yes/No
sasi

To:

1. THE DISTRICT COLLECTOR
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KRISHNAGIRI DISTRICT.
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DENKANIKOTTAI TALUK,
SUB COLLECTOR OFFICE,
HOSUR TOWN, KRISHNAGIRI DISTRICT.
3. THE TAHSILDAR
DENKANIKOTTAI TALUK OFFICE,
DENKANIKOTTAI, KRISHNAGIRI DISTRICT.



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THE HON'BLE ACTING CHIEF JUSTICE
AND
P.B.BALAJI, J.

(sasi)

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