



W.P.(MD) No.2555 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2024

CORAM:

THE HONOURABLE **MR.JUSTICE D.KRISHNAKUMAR**

AND

THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

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Lakshmi

... Petitioner

-Vs-

- 1.The District Collector,
Office of the District Collector,
Tenkasi District.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Tenkasi District.
- 3.The Municipal Commissioner,
Office of the Municipal Commissioner,
Sankarankovil Municipality,
Thiruvankadam Road, Sankarankovil,
Tenkasi District.
- 4.The Tahsildar,
Office of the Tahsildar,
Sankarankovil Taluk,
Thiruvankadam Road, Near New Bus Stand,
Tenkasi District.

5.Shanmugavel

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachments created by the 5th respondent in Government land at Sankarnkovil Town Block 49C- Ward B, Survey No.41 by way of constructing shed along with doors and water tank on the basis of the proceedings in Na.Ka.No.1989/2022/F1, dated 13.10.2023 on the file of the 3rd respondent in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For R1, R2 & R4 : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

[Order of the Court was made by *D.KRISHNAKUMAR, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.According to the petitioner, the 5th respondent has constructed a shed along with doors and water tank in the Government land situated at Sankarnkovil Town Block 49C, Ward B, Survey No.41. Pointing out the same, she made a representation dated 17.07.2023 to the 3rd respondent, who in turn issued a notice dated 21.09.2023 to the 5th respondent to evict the encroachment made by him,



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which was also communicated to the petitioner by the 3rd respondent vide communication dated 13.10.2023. Thereafter, since no action has been taken, she made representations dated 06.11.2023 and 31.01.2024. However, the said representations have not been considered so far. Hence, the petitioner is constrained to move the present Writ Petition.

3.Mr.S.P.Maharajan, learned Special Government Pleader, who takes notice for the respondents 1, 2 and 4, would submit that based on the representation of the petitioner dated 17.07.2023, the authority concerned conducted a survey on 27.07.2023 in the land in question and submitted a report. The said report reveals that there is an encroachment. He further assures that the said encroachment would be removed after issuing notice to the parties concerned within a time frame to be stipulated by this Court.

4.Considering the submissions made on either side, without going into the merits of the case, we direct the 3rd respondent to take necessary action for removal of the encroachment, after providing opportunity to the parties concerned and complete the same within a period of twelve weeks from the date of receipt of a copy of this order. The said action to be carried out by the 3rd respondent shall be monitored by the District Level Committee.



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5. With the above direction, this Writ Petition stands disposed of. No costs.

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

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Yuva

To

1. The District Collector,
Office of the District Collector,
Tenkasi District.
2. The District Revenue Officer,
Office of the District Revenue Officer,
Tenkasi District.
3. The Tahsildar,
Office of the Tahsildar,
Sankarankovil Taluk,
Thiruvankadam Road, Near New Bus Stand,
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AND

R.VIJAYAKUMAR, J.

Yuva

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