



W.P(MD)No.3215 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2024

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.3215 of 2020

P.Yesuvadiyan

... Petitioner

vs.

1. The District Collector,
Tuticorin,
Tuticorin District.

2. The Tahsildar,
Vilathikulam Taluk,
Tuticorin District.

3. The Block Development Officer,
Vilathikulam Panchayat Union,
Vilathikulam Taluk,
Tuticorin District.

4. C.Jeyaseelan

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to implement the 2nd respondent's proceedings in Na.Ka.Aa7/11441/2014 dated 25.09.2019 to remove the encroachment made by the 4th



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respondent herein in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.A.Rajaram
For R1 to R3 : Mr.P.Thilakkumar, Government Pleader
For R4 : Mr.R.J.Karthick

ORDER

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

This writ petition has been filed for a Mandamus, directing the 3rd respondent to implement the 2nd respondent's proceedings in Na.Ka.Aa7/11441/2014, dated 25.09.2019, to remove the encroachment made by the 4th respondent herein in accordance with law within a time frame.

2. The learned counsel appearing for the petitioner would submit that Vilathikulam Taluk Streets are Vembar South Union are encroached upon by several persons, including the 4th respondent and though the petitioner's repeated representations seeking removal of the abovesaid encroachment culminated into an order dated 25.09.2019 passed by the 2nd respondent / Tahsildar, directing the 3rd respondent /



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Block Development Officer to remove the encroachments in the subject place, the said order was not implemented by the 3rd respondent.

Hence, the petitioner again made a representation dated 21.10.2019 to the 1st respondent, seeking removal of encroachment and finding no heed to it was paid, he has filed this writ petition.

3. Heard both sides.

4. Since there is a considerable lapse of time after the earlier representation was made, the petitioner herein is granted liberty to give a fresh representation to the concerned respondent, ventilating his grievances, as expeditiously as possible. On receipt of such a representation, the concerned respondent is directed to consider the same, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondents, as well as to any other person, who may be interested in the subject matter, within a period of three (3) months from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and



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that it is open to the concerned respondent to consider the same, on its own merits.

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

(M.S.R, J.) (A.D.M.C, J.)
11.12.2024

Index : Yes / No
Neutral Citation : Yes / No
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To

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Tuticorin District.

2. The Tahsildar,
Vilathikulam Taluk,
Tuticorin District.

3. The Block Development Officer,
Vilathikulam Panchayat Union,
Vilathikulam Taluk,
Thoothkudi District.



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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

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ORDER MADE IN
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