



W.P.(MD) No.5080 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.5080 of 2024

Panneerselvam

... Petitioner

-Vs-

- 1.The District Collector,
Pudukottai District, Pudukottai.
- 2.The Revenue Divisional Officer,
Illupur Revenue Division,
Illupur, Pudukottai District.
- 3.The Tahsildar,
Illuppur Taluk Office,
Illupur, Pudukottai District.
- 4.The Block Development Officer
(Village Panchayat),
Viralimalai Union,
Viralimalai, Pudukottai District.
- 5.The President,
Vilappatti Village Panchayat,
Viralimalai Union,
Viralimalai, Pudukottai District.



W.P.(MD) No.5080 of 2024

6.Rengaraj

7.Sivakumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing 1 to 4 Respondents to remove the encroachment made by the Private Respondents in S.F.Nos. 63/2 for an extent of 0.97.0 is classified as Public Pathway at Metukalam, Vilappatti village, Maruthampatti Revenue Village, Iluppur Taluk, Pudukottai District on the basis of the petitioner's representation dated 31.07.2023 within time frame fixed by this Court.

For Petitioner : Mr.T.Vadivelan
For R1 to R5 : Mr.T.Amjadkhan
Government Advocate

ORDER

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

This Writ Petition is filed for issuance of a Writ of Mandamus, directing Respondents 1 to 4 to remove the encroachment made by the Private Respondents in S.F.Nos. 63/2 for an extent of 0.97.0 is classified as Public Pathway at Metukalam, Vilappatti village, Maruthampatti Revenue Village, Iluppur Taluk, Pudukottai District on the basis of the petitioner's representation dated 31.07.2023 within time frame fixed by this Court.



W.P.(MD) No.5080 of 2024

2.Mr.T.Amjadkhan, learned Government Advocate takes notice for the respondents 1 to 5. Considering the nature of order proposed to be passed in this Writ Petition, notice to the respondents 6 and 7 is dispensed with.

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

4.Pointing out the encroachments made by respondents 6 and 7, the petitioner made a representation dated 31.07.2023 to the respondents 1 to 5. Since the same has not been considered till date, the petitioner has approached this Court with the aforesaid prayer.

5.The learned Government Advocate for the respondents 1 to 5, on instructions, submitted that the representation of the petitioner dated 31.07.2023 will be considered and appropriate orders would be passed on merits and in accordance with law.

6.Considering the limited scope of the prayer sought for in the Writ Petition, without going into the merits of the case, we are inclined to direct the



W.P.(MD) No.5080 of 2024

third respondent to consider the representation of the petitioner dated 31.07.2023 and pass appropriate orders on its own merits and in accordance with law, after providing sufficient opportunity of hearing to all the parties concerned. Such an exercise shall be completed as early as possible, preferably, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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

[D.K.K., J.] & [R.V., J.]
05.03.2024

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

ta

To

1. The District Collector,
Pudukottai District, Pudukottai.
2. The Revenue Divisional Officer,
Illupur Revenue Division,
Illupur, Pudukottai District.



W.P.(MD) No.5080 of 2024

- 3.The Tahsildar,
Illuppur Taluk Office,
Illupur, Pudukottai District.
- 4.The Block Development Officer
(Village Panchayat),
Viralimalai Union,
Viralimalai, Pudukottai District.
- 5.The President,
Vilappatti Village Panchayat,
Viralimalai Union,
Viralimalai, Pudukottai District.



WEB COPY



W.P.(MD) No.5080 of 2024

D.KRISHNAKUMAR, J.

AND

R.VIJAYAKUMAR, J.

ta

W.P.(MD)No.5080 of 2024

05.03.2024