



W.P.(MD) No.5057 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE P.DHANABAL

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P.Ganesan

... Petitioner

Vs.

- 1 The District Collector
Karur District, Karur.
- 2 The Revenue Divisional Officer, Revenue Divisional, Karur.
- 3 The Tashildar
Aravakurichi Taluk, Aravakurichi,
Karur District.
- 4 The Block Development Officer,
(Village Panchayat), Aravakurichi,
Karur District.
- 5 Palanisamy .V

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the 4th respondent to implement the proceedings in Na.Ka.Aa3/2068/2021, dated 03.07.2023 by removing encroachment made in S.F.No. 278/2 situated at Velambadi Village Aravakurichi Taluk, Karur District within the stipulated time as may be fixed by this Hon'ble Court.



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For Petitioner	:Mr.R.Mathiyalagan
For R-1 & R-3	:Mr.S.P.Maharajan, Special Government Pleader
For R-4	:Mr.N.Satheesh Kumar, Additional Government Pleader

ORDER

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

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the 4th respondent to implement the proceedings in Na.Ka.Aa3/2068/2021, dated 03.07.2023, by removing the encroachment made in S.F.No. 278/2 situated at Velambadi Village, Aravakurichi Taluk, Karur District, within a stipulated period.

2. Mr.S.P.Maharajan, learned Special Government Pleader, takes notice for the respondents 1 to 3 and Mr.N.Satheesh Kumar, learned Additional Government Pleader, takes notice for the fourth respondent.

3. In view of the nature of the order going to be passed, notice to the fifth respondent, is dispensed with.

4. According to the petitioner, the fifth respondent has made an encroachment in a burial ground. However, no action has been taken by



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the authorities for removal of such encroachment. Hence, the petitioner has filed this writ petition with the aforesaid prayer.

5. The learned Special Government would submit that the competent authorities to take action are the respondents 3 and 4. However, the petitioner has not made any representation before the respondents 3 and 4.

6. In view of the above, the petitioner is directed to make a representation before the respondents 3 and 4, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents 3 and 4, are directed to consider the petitioner's representation and to take necessary action for the removal of encroachment in the place in question, after providing opportunity to all parties concerned within a period of twelve weeks thereafter.

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

[D.K.K., J.]

[P.D.B., J.]

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Index : Yes/No

NCC : Yes/No

PM



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