



W.P.(MD) No.7038 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.7038 of 2024

R.Palanivel

... Petitioner

Vs.

1 The District Collector,
Pudukottai District,
Pudukottai.

2 The Tahsildar
Alangudi Taluk,
Pudukottai District.

3 The Executive Officer,
Keeramangalam Town Panchayat,
Keeramangalam,
Pudukottai District.

4 Abitha Begam. A

.... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 3rd respondent to remove the encroachment made by the 4th respondent in 2nd Cross Street comprised in Survey No.272-23 at Anna Nagar, Keeramangalam, Alangudi Taluk Pudukottai District, by considering the petitioner's representations dated 11.05.2022 and 19.03.2023.



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For Petitioner :Mr.T.Lenin Kumar
For R-1 & R-2 :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 3rd respondent to remove the encroachment made by the 4th respondent in 2nd Cross Street comprised in Survey No.272-23 at Anna Nagar, Keeramangalam, Alangudi Taluk Pudukottai District, by considering the petitioner's representations, dated 11.05.2022 and 19.03.2023.

2. According to the petitioner, the respondent – panchayat has initiated proceedings for removal of encroachment in the aforesaid street in question by issuing the notice, dated 31.10.2023, for evicting the encroachers. But, thereafter, no action has been taken by the authorities. Hence, the petitioner has filed this writ petition with the aforesaid prayer.

3. The learned Additional Government Pleader appearing for the respondents 1 and 2, on instructions, informed this Court that notice has been served on the encroachers for removal of encroachment and the encroachers have also made their objections for the said notice and the same is pending before the panchayat.



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4. In such circumstances, we are not inclined to go into the facts of the case. Hence, without going into the merits of the case, we direct the third respondent to consider the objection made by the encroachers and pass appropriate orders as early as possible after providing opportunity to the encroachers including the fourth respondent herein. It is needless to say that if there is any encroachment made by the encroachers including the petitioner, the panchayat shall take action for removal of such encroachment. Such exercise shall be completed, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition stands disposed of.
No Costs.

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

22.03.2024

Neutral Citation:Yes / No
Index :Yes / No
PM



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and
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