



W.P.(MD) No.7345 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.7345 of 2024

U.Subramanian

... Petitioner

-Vs-

- 1.The District Collector,
Office of Ramanathapuram Collector,
Ramanathapuram District.
- 2.The Tahsildar,
Ramanathapuram Collectorate,
Ramanathapuram Taluk,
Ramanathapuram District.
- 3.The Assistant Director (Panchayat),
Ramanathapuram District Collectorate,
Ramanathapuram.
- 4.The Block Development Officer,
Ramanathapuram Block Development Office,
Ramanathapuram.
- 5.The President,
Karendhal Panchayat,
Ramanathapuram,
Ramanathapuram Distrcit.



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6.Saravanakannan

... 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 and 4 to remove the encroachments in Survey No.72/7A, 72/2B15 in Kumariyenthal Village, Thoruvallur Post, Karendal Panchayat, Ramanathapuram District within the stipulated time that may be fixed by this Court.

For Petitioner	: Mr.S.Ayyanar Prem Kumar
For R1 to R3	: Mr.T.Amjadkhan Government Advocate
For R4 & R5	: Mr.S.P.Maharajan Standing Counsel

ORDER

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

This Writ Petition is filed for issuance of a Writ of Mandamus, directing the respondents 1 and 4 to remove the encroachments in Survey No. 72/7A, 72/2B15 in Kumariyenthal Village, Thoruvallur Post, Karendal Panchayat, Ramanathapuram District within the stipulated time fixed by this Court.



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2.T.Amjadkhan, learned Government Advocate takes notice for the respondents 1 to 3 and Mr.S.P.Maharajan, learned Standing Counsel takes notice for the respondents 4 & 5. Since no adverse order is going to be passed against the sixth respondent in this writ petition, notice to the sixth respondent 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 the fourth and fifth respondents, the petitioner made a representation dated 01.03.2024 to the respondents 1 to 4. Since the same has not been considered till date, the petitioner has approached this Court with the aforesaid prayer.

5.The learned Special Government Pleader for the respondents 1 to 4, on instructions, submitted that the representation of the petitioner dated 01.03.2024 will be considered and appropriate orders would be passed on merits and in accordance with law.



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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 fourth respondent to consider the representation of the petitioner dated 01.03.2024 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.]
26.03.2024

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

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To

1.The District Collector,
Office of Ramanathapuram Collector,
Ramanathapuram District.



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2. The Tahsildar,
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3. The Assistant Director (Panchayat),
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Ramanathapuram.
4. The Block Development Officer,
Ramanathapuram Block Development Office,
Ramanathapuram.
5. The President,
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