



W.P(MD)No.7783 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.7783 of 2024

M.Mari

... Petitioner

vs.

- 1 The District Collector,
Office of the District Collector,
Sivagangai District.
- 2 The Tahsildar,
Manamadurai, Sivagangai District.
- 3 The Block Development Officer
Manamadurai Union,
Sivagangai District.
- 4 The Panchayat President,
Manampakki Village Panchayat,
Manamadurai,
Sivagangai District.
- 5 Malairaj

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 4 herein to remove the encroachments by way of constructions of bore-well, septic tank and steps made by the 5th respondent in the public pathway / street comprised in



W.P(MD)No.7783 of 2024

Survey No.248/1 on the basis of the petitioner's representation, dated 06.03.2024 within a stipulated period.

For Petitioner : Mr.A.R.Kannappan
For Respondents : Mr.S.P.Maharajan,
Special 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 respondents 1 to 4 herein to remove the encroachments made by the 5th respondent by constructing a bore-well, septic tank and steps in the public pathway / street comprised in Survey No.248/1 at Manampakki Village, Manamadurai Taluk, Sivagangai District, on the basis of the petitioner's representation, dated 06.03.2024, within a stipulated period.

2. The learned Special Government Pleader, on instructions, would submit that the fourth respondent panchayat has issued notice to the fifth respondent directing him to remove the encroachment made in the public pathway within a period of fifteen days.



W.P(MD)No.7783 of 2024

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3. In view of the above, the prayer sought for by the petitioner has become infructuous. The fourth respondent is directed to proceed and take necessary action for the removal of encroachment in the place in question by following the procedure contemplated under law and after providing opportunity to the fifth respondent.

4. With the above direction, this writ petition stands disposed of. No Costs.

[D.K.K.,J.] [R.V.,J.]
28.03.2024

NCC : Yes / No
Index : Yes / No
PM

To

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W.P(MD)No.7783 of 2024

D.KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

PM

ORDER MADE IN
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DATED : 28.03.2024