



W.P(MD)No.8357 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2024

CORAM :

**THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.8357 of 2024

R.Ramar

... Petitioner

vs.

1. The District Collector,
District Collector Office,
Sathur Road,
Virudhunagar District.

2. The District Revenue Officer,
District Revenue Office,
Sathur Road,
Virudhunagar District.

3. The Revenue Divisional Officer,
Tahsildar Office,
Sivakasi.

4. The Tahsildar,
Rajapalayam,
Virudhunagar District.

5. The Executive Officer,
Sethur,
Rajapalayam,
Virudhunagar District.

6. The Revenue Inspector,
Revenue Inspector Office,



W.P(MD)No.8357 of 2024

Seithur Village,
Seithur,
Rajapalayam,
Virudhunagar District.

7. The Village Administrative Officer,
Village Administrative Office,
Seithur,
Rajapalayam,
Virudhunagar District.

8. Ramar @ Thavakka

9. Karuppaiah

... 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 his proceedings in ந.க.அ/6676/2023 dated 17.08.2023 based upon the petitioner's representation dated 31.07.2023 and consequently direct the 4th respondent to remove the encroachment made by the 8th and 9th respondents in common pathway and well situated in S.No.382/6 at Illaththar Kinatru Pathai Street, Seithur Town Panchayat, Rajapalayam Taluk, Virudhunagar District.

For Petitioner : Mr.R.Senthil Kumar

For R1 to R4, R6 & R7 : Mr.N.Satheesh Kumar
Additional Government Pleader

For R5 : Mr.S.Shaji Bino
Special Government Pleader



W.P(MD)No.8357 of 2024

For R8 & R9

: No appearance

ORDER

WEB COPY

R.MAHADEVAN, A.C.J.
AND
G.R.SWAMINATHAN, J.

Heard the learned counsel for the petitioner, learned Additional Government Pleader for the respondents 1 to 4, 6 and 7 and the learned Special Government Pleader for the 5th respondent.

2. The petitioner alleges that the private respondents have committed encroachment of the petition mentioned pathway and public well. As regards the pathway, it is the 5th respondent who is competent to take action. As regards the well, the 4th respondent has to take action. The petitioner has already given representations before the 4th respondent as well as the 5th respondent. They are directed to issue notices to the private respondents herein and other interested persons, if any. If the authorities concerned come to the conclusion that the allegation made by the petitioner is well founded, then, the encroachment shall be removed. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order. We make it clear we have not gone into the merits of the matter. All the defences and contentions of the private



W.P(MD)No.8357 of 2024

respondents are kept open.

WEB COPY

3. The Writ Petition is disposed of accordingly. No costs.

[R.M.D., A.C.J.] & [G.R.S., J.]
20.06.2024

Index : Yes / No
Neutral Citation : Yes / No
bala

To

1. The District Collector,
District Collector Office,
Sathur Road,
Virudhunagar District.

2. The District Revenue Officer,
District Revenue Office,
Sathur Road,
Virudhunagar District.

3. The Revenue Divisional Officer,
Tahsildar Office,
Sivakasi.

4. The Tahsildar,
Rajapalayam,
Virudhunagar District.

5. The Executive Officer,,
Sethur, Rajapalayam,
Virudhunagar District.

6. The Revenue Inspector,
Revenue Inspector Office,
Seithur Village,
Seithur, Rajapalayam,



W.P(MD)No.8357 of 2024

Virudhunagar District.

7. The Village Administrative Officer,
Village Administrative Office,
Seithur, Rajapalayam,
Virudhunagar District.



WEB COPY



W.P(MD)No.8357 of 2024

R.MAHADEVAN, A.C.J.
AND
G.R.SWAMINATHAN, J.

bala

W.P(MD)No.8357 of 2024

20.06.2024