



W.P(MD)No.15040 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.07.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

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K.Mari

... Petitioner

VS.

1.The District Collector/Monitoring Committee,
O/o.The District Collectorate,
Madurai District.

2.The Sub Collector,
O/o.The District Sub Collectorate,
Madurai District.

3.The Tahsildar,
O/o.The Tahsildar,
Kallikudi Taluk,
Madurai District.

4.The Commissioner,
The Panchayath Union,
Kallikudi, Madurai District.

5.The Block Development Officer,
O/o.The Block Development Officer,
Kallikudi,
Madurai District.

6.Mookammal

7.Sekar

8.Pandiyammal

... Respondents

1/6



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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 5 to remove the encroachment made by the sixth respondent by considering the petitioner's representation, dated 22.05.2024 within the time stipulated by this Court.

For Petitioner : Mr.G.Sujeeth

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader
for R.1 to R.3

: Mr.A.Kannan
Additional Government Pleader
for R.4 & R.5

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

The prayer sought for herein is for a Writ of Mandamus, to direct the respondents 1 to 5 to remove the encroachment made by the sixth respondent by considering the petitioner's representation, dated 22.05.2024 within the time stipulated by this Court.

2.With regard to the alleged encroachment in Survey No.177/42 at Kokkulam Village, Kallikudi Taluk, Madurai District, the petitioner had



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given a representation to the official respondents addressed to the first respondent and a copy marked to the other respondents and in order to consider the same and to pass orders, he has moved this Writ Petition.

3.Heard Mr.G.Sujeeth, learned counsel appearing for the petitioner, Mr.N.Satheesh Kumar, learned Additional Government Pleader appearing for the respondents 1 to 3 and Mr.A.Kannan, learned Additional Government Pleader appearing for the respondents 4 and 5. In view of the order that is proposed to be passed in this Writ Petition, notice to the respondents 6 to 8 is hereby dispensed with.

4.Having regard to the submissions made by the learned counsel appearing for both sides and taking note of the innocuous nature of the prayer that has been sought for in this Writ Petition, this Court is inclined to dispose of this Writ Petition with the following orders:

'(i) That there shall be a direction to the respondents 4 and 5 to consider the representation submitted by the petitioner, dated 22.05.2024 and after giving an opportunity of hearing to both the petitioner as well as private respondents by sending notice to them,



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the said representation shall be decided on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.'

5. With this direction, this Writ Petition is disposed of. However, there shall be no order as to costs.

[R.S.K.,J.] [G.A.M.,J.]
08.07.2024

NCC : Yes / No
Index : Yes / No
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To

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Madurai District.
- 2.The Sub Collector,
O/o.The District Sub Collectorate,
Madurai District.
- 3.The Tahsildar,
O/o.The Tahsildar,
Kallikudi Taluk,
Madurai District.
- 4.The Commissioner,
The Panchayath Union,
Kallikudi, Madurai District.
- 5.The Block Development Officer,
O/o.The Block Development Officer,
Kallikudi,
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R.SURESH KUMAR,J.
and
G.ARUL MURUGAN,J.

ps

ORDER MADE IN
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