



WEB COPY



W.P.(MD)No.21464 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD)No.21464 of 2024
and
W.M.P.(MD) No.18148 of 2024**

A.Selvakumar

... Petitioner

-VS-

- 1.The District Collector/Monitoring Comittee,
Madurai District
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Usilampatti Taluk,
Madurai District
- 3.The Block Development Officer,
Usilampatti Taluk,
Madurai District.
- 4.The Thasildhar,
Usilampatti Taluk,
Madurai District.

5.Rameshkumar

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondents 1 to 4 to remove the encroachment made by the 5th respondent in the common public road comprised in Sur.No. 505/2 situated at Nakkalapatti Village, Usilampatti



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Taluk, Madurai District within a stipulated time period in accordance with law by considering the petitioner representation dated 25.05.2024 and its remainder date 05.06.2024.

For Petitioner : Mr.C. Senthil Murugan

For R-1 to R-4 : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

The prayer in the writ petition reads as follows:

“To issue a Writ of Mandamus to direct the respondents 1 to 4 to remove the encroachment made by the 5th respondent in the common public road comprised in Sur.No. 505/2 situated at Nakkalapatti Village, Usilampatti Taluk, Madurai District within a stipulated time period in accordance with law by considering the petitioner representation dated 25.05.2024 and its remainder date 05.06.2024.”

2. Mr.S.R.A.Ramachandran takes notice for the respondents 1 to 4. Since we are not passing any order that would adversely affect the interest of R5, notice to R5 is dispensed with.



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3. The petitioner claims that the 5th respondent has encroached upon a public road. The Tahsildar Usilampatti, namely, the 4th respondent, will call the survey of the area in question and ascertain as to whether there is any encroachment. If any encroachment is found to exist, the same will be removed by following the due process of law under the Tamil Nadu Land Encroachment Act, 1905. The needful do be done within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

09.09.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
Sml
To

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Usilampatti Taluk,
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