



W.P.(MD) No.25202 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2024

CORAM:

THE HONOURABLE **MR.D.KRISHNAKUMAR,**

THE ACTING CHIEF JUSTICE

AND

THE HONOURABLE **MR.JUSTICE MOHAMMED SHAFFIQ**

W.P.(MD)No.25202 of 2018

1.K.Radhakrishnan
2.M.Ganesan
3.N.Rajasekar
4.M.Muniyappan

... Petitioners

-Vs-

1.State rep. by its,
The District Collector,
Dindigul District, Dindigul.

2.The Sub Collector,
Palani Taluk Office,
Palani, Dindigul District.

3.The Tahsildar,
Office of the Tahsildar,
Oddanchathram, Palani Taluk,
Dindigul District.

4.The Block Development Officer,
Panchayat Union, Oddanchatram,
Palani Taluk, Dindigul District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 1st respondent to direct the 3rd respondent to remove the encroachment in the public pathways in the Virupatchi Village, Oddanchatram Taluk, Dindigul District by providing necessary police protection within the time frame fixed by this Court.

For Petitioners : Mr.V.Muthumani

For Respondents : Mr.P.Thilakkumar,
Government Pleader

ORDER

[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]

This Writ Petition is filed, seeking for a direction to the 1st respondent to direct the 3rd respondent to remove the encroachment in public pathways in Virupatchi Village, Oddanchatram Taluk, Dindigul District by providing necessary police protection within the time frame that may be fixed by this Court.

2.It is the grievance of the petitioners that their representations dated 05.07.2018 and 25.10.2018, seeking removal of encroachment, have not been considered so far. Hence, they filed this Writ Petition.



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3. We have gone through the affidavit filed in support of this petition.

The petitioners have not mentioned the survey number of the land, where encroachments have been made. Therefore, we permit the petitioners to make a fresh representation to the authorities concerned, mentioning the survey number of the land and the name of the persons, who encroached the land. On receipt of such representation, the authorities concerned are directed to consider the same and remove the encroachment, if any in the land in question, after conducting survey, if necessary and after affording sufficient opportunity to all the parties concerned by following due process of law. Such an exercise shall be completed within a period of three (3) months from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition is disposed of. No costs.

[D.K.K., A.C.J.] & [M.S.Q., J.]

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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MOHAMMED SHAFFIQ, J.

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