



W.P(MD)No.23793 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2024

CORAM :

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

W.P(MD)No.23793 of 2024

S.T.Arumugam

... Petitioner

vs.

1. The District Collector / Monitoring Committee,
Theni District,
Theni.

2. The Assistant Director of Panchayat,
Theni Region,
Theni.

3. The Tahsildar,
Bodinayackanur Taluk,
Theni District.

4. The Executive Officer,
Bodinayackanur Town Panchayat,
Theni District.

5. S.Ponraj

6. S. Baskaran

7. Rajasekaran

8. Shanmugan

9. Periyannan

10. O.Manikandan



W.P(MD)No.23793 of 2024

11. O.Rathinasamy

12. Dharmar

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachments made by the respondents 5 to 12 in Old Survey No.551/4 (New S.No.335/11), Ward No.13, Boothipuram Village, Bodinayackanur Taluk, Theni District, in the light of the 3rd respondent's proceeding in Na.Ka.No. 5271/2022/A5 dated 25.10.2023, within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.A.R.Kannappan

For R1 to R3 : Mr.S.P.Maharajan
Special Government Pleader

For R4 : Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

(Order of the Court was made by **R.SUBRAMANIAN, J.**)

A Division Bench of this Court, by order dated 16.08.2023, made in W.P. (MD)No.19853 of 2023, had directed the respondents 1 to 4 to take action strictly in accordance with Section 128 of the Tamil Nadu Urban Local Bodies Act, 1998, to have the encroachments removed. Pursuant thereto, it appears that there was an inspection as well as a survey conducted.



W.P(MD)No.23793 of 2024

2. From the information furnished by the Public Information Officer / Head Quarters Deputy Tahsildar, Bodinayackanur, that the land in question has been classified as "Street" and about five persons have encroached upon it. Hence, this Writ Petition is disposed of with the direction to the fourth respondent to take steps to remove the encroachments in accordance with law as per the directions contained in the order of the Division Bench of this Court, referred to supra. Action shall be initiated within a period of eight weeks from the date of receipt of a copy of this order. No costs.

(R.S.M, J.) (L.V.G, J.)
04.10.2024

Index : No
Neutral Citation : No
smn2

To

1. The District Collector / Monitoring Committee,
Theni District,
Theni.

2. The Assistant Director of Panchayat,
Theni Region,
Theni.

3. The Tahsildar,
Bodinayackanur Taluk,
Theni District.



W.P(MD)No.23793 of 2024

4. The Executive Officer,
Bodinayackanur Town Panchayat,
Theni District.



WEB COPY



W.P(MD)No.23793 of 2024

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

smn2

ORDER MADE IN
W.P(MD)No.23793 of 2024
DATED : 04.10.2024