



W.P.(MD) No.25861 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.10.2024

CORAM:

**THE HONOURABLE MR.K.R.SHRIRAM, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

W.P.(MD) No.25861 of 2024

M.Maheshkannan
Petitioner

...

-VS-

1.The District Collector
Virudhunagar District
Virudhunagar

2.The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Sathur, Virudhunagar District

3.The Revenue Tahsildar
Office of the Tahsildar
Virudhunagar District

4.The Block Development Officer
(Village Panchayat)
College Road, Virudhunagar

5.The Assistant Director
Rural Development
(Panchayats)
Virudhunagar

6.Latha

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to remove the encroachment made by the sixth respondent on the public pathway constituting 5 feet comprising in Survey No.304/1 situated at Door No.3/208, Dhammanaickenpatty Village, T.Sedapatti Post, Virudhunagar District, Pin 626 204, by considering the petitioner's representation sent to the respondents 1 to 5, dated 07.10.2024 within the time frame to be fixed by this Court.

For Petitioner : Mr.L.Prabhu

For Respondents : Mr.P.T.Thiraviyam
Government Advocate for R1 to R5

ORDER

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

Counsel for respondent Nos.1 to 5 states that respondent No.3 – the Tahsildar has passed an order dated 25th July, 2024 giving a finding that respondent No.6 has encroached in public land (Natham Poramboke), notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 has been issued on 3rd July, 2024 and a notice under Section 6 of the Tamil Nadu Land Encroachment Act, 1905 has also been issued on 15th July, 2024.



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2. When the Court asked in that case why the encroachment is yet to be removed, counsel for respondent Nos.1 to 5 stated that within fifteen days i.e., on or before 13th November, 2024, the encroachment shall be removed. Statement is accepted as an undertaking to this Court.

3. In view of the statement made, counsel for petitioner states that the petition can be disposed of.

4. Writ petition is disposed of. There shall be no order as to costs.

[K.R.SHRIRAM., C.J.]

[MOHAMMED SHAFFIQ,

J.]

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NCC : Yes / No
Index : Yes / No

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