



W.P(MD)No.27388 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.12.2024

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.27388 of 2019

R.Arputham

... Petitioner

vs.

1. The District Collector,
Collectorate Campus,
Dindigul District.

2. The Tahsildar
Dindigul East Taluk,
Dindigul District.

3. The Block Development Officer,
(Village Panchayats),
Office of Panchayat Union,
Sanarpatti, Dindigul District.

4. Thangavel

5. Chinnaiah

6. Madasamy

7. Arumugam

8. Kulanthaivel

9. Subramani

... Respondents



W.P(MD)No.27388 of 2019

WEB COPY

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.1 to 3 to evict the encroachment made in S.F.Nos.421, 434, and 435 situated at T.Panchampatty Village, Dindigul East Taluk, Dindigul District, by considering the representation given by the petitioner dated 28/11/2019 within the stipulated time.

For Petitioner : Mr.S.Krishnan
For Respondents: Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

(Order of the Court was made by **M.S.RAMESH, J.**)

This writ petition has been filed for a Mandamus, directing the respondent Nos.1 to 3 to evict the encroachment made in S.F.Nos. 421, 434, and 435 situated at T.Panchampatty Village, Dindigul East Taluk, Dindigul District, by considering the representation given by the petitioner dated 28/11/2019 within the stipulated time.

2. The learned counsel appearing for the petitioner would submit that the abovesaid survey numbers are water channels of a pond



W.P(MD)No.27388 of 2019

and adjacent thereto, there is a cart tract. Alleging that both the water channels and cart tract are encroached upon by the private respondents resulting in the village facing flood-like situation frequently, the petitioner made a representation dated 28.11.2019 to the official respondents and finding no heed to it was paid, he has filed this writ petition.

3. Heard both sides.

4. Since there is a considerable lapse of time after the earlier representation was made, the petitioner herein is granted liberty to give a fresh representation to the concerned respondent, ventilating his grievances, as expeditiously as possible. On receipt of such a representation, the concerned respondent is directed to consider the same, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondents, as well as to any other person, who may be interested in the subject matter, within a period of three (3) months from the date of receipt of the representation. It is made clear that this Court has not



W.P(MD)No.27388 of 2019

expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondent to consider the same, on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

(M.S.R, J.) (A.D.M.C, J.)
11.12.2024

Index : Yes / No
Neutral Citation : Yes / No
bala

To

1. The District Collector,
Collectorate Campus,
Dindigul District.

2. The Tahsildar
Dindigul East Taluk,
Dindigul District.

3. The Block Development Officer,
(Village Panchayats),
Office of Panchayat Union,
Sanarpatti, Dindigul District.



WEB COPY



W.P(MD)No.27388 of 2019

M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

bala

ORDER MADE IN
W.P(MD)No.27388 of 2019
DATED : 11.12.2024