



W.P(MD)No.20265 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.20265 of 2017

Karuppusamy

... Petitioner

VS.

1.The District Collector,
Dindigul District.

2.The Sub Collector,
Palani,
Dindigul District.

3.The Tahsildar,
Palani Taluk,
Dindigul District.

4.Thenmozhi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the fourth respondent in Survey No.767/1 at Pottampatti Village, Palani Taluk, Dindigul District by considering the representations dated 07.11.2016 and 05.12.2016.



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For Petitioner

: Mr.D.Venkatesh

For Respondent Nos.1 to 3

: Mr.T.Amjadkhan
Government Advocate

For Respondent No.4

: Mr.T.Ramasamy

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

Prayer in this Writ Petition is to direct the respondents 1 to 3 to remove the encroachment made by the fourth respondent in Survey No. 767/1 at Pottampatti Village, Palani Taluk, Dindigul District by considering the representations dated 07.11.2016 and 05.12.2016.

2.Seeking removal of encroachment made by the fourth respondent in the aforesaid survey number, the petitioner made a representation, dated 05.12.2016 to the respondents 1 to 3. Since the said representation has not been considered, the petitioner has filed the present Writ Petition.



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3.The learned Government Advocate appearing for the respondents 1 to 3, on instructions, would submit that the said property is classified as a street, where there is an encroachment and necessary action will be taken for removal of the same.

4.Considering the facts and circumstances of the case, we direct the third respondent to consider the representation of the petitioner dated 05.12.2016 and survey the property with the assistance of the Surveyor and ear-mark the encroached portion and inform the same to the encroachers for enabling them to remove the same within a stipulated time. If the encroachments are not removed within the stipulated time, the authority concerned shall necessary action for removal of the same in accordance with law.

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

[D.K.K.,J.] [R.V.,J.]
29.01.2024

NCC : Yes / No
Index : Yes / No
ps

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and
R.VIJAYAKUMAR,J.

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ORDER MADE IN
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