



W.P(MD)No.6197 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2025

CORAM:

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.6197 of 2024

G.Jeyaprakash

... Petitioner

vs.

1.The District Collector,
Virudhunagar.

2.The Revenue Divisional Officer,
Sathur,
Virudhunagar.

3.The Tahsildar,
Vembakottai Taluk,
Virudhunagar.

4.Reka

5.Ganeshkumar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to remove the encroachment i.e. cement pipes put by the fourth respondent in the



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Cart Track situated in S.No.118/1 at E.Ramanathapuram Village, Vembakottai Taluk, Virudhunagar District.

For Petitioner : Mr.H.Arumugam
For RR 1 to 3 : Mr.M.Sarangan
Additional Government Pleader
For RR 4 & 5 : Mr.V.Malaiyendran

ORDER

(Order of the Court was made by J. NISHA BANU, J.)

The petitioner has filed the present Writ Petition for a direction directing the respondents 1 to 3 to remove the encroachment i.e. cement pipes put by the fourth respondent in the Cart Track situated in S.No.118/1 at E.Ramanathapuram Village, Vembakottai Taluk, Virudhunagar District.

2.Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned counsel appearing for the respondents 4 and 5.



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3. Though the petitioner has come up with a larger prayer, he would state that it would suffice, if his representation dated 16.02.2024 to the official respondents is directed to be considered within a stipulated time frame fixed by this Court.

4. When the matter is taken up for hearing today, the learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the cart track in question would be surveyed by the authority concerned in the presence of the petitioner as well as respondents 4 and 5, after affording due opportunity to the parties concerned and the authority concerned, after verification of the revenue records, will proceed with removal of encroachments, if any, in the place in question, by due process of law within a time frame.

5. In view of the abovesaid submissions, without going into the merits of the claim made by the petitioner, the authorities concerned are directed to survey the land in question in the presence of the petitioner as well as respondents 4 and 5 and after affording due opportunity to the parties concerned and if there is any encroachment as claimed by the petitioner in the place in



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question, the authorities concerned shall take necessary action for removal of the encroachment by following due process of law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

[J.N.B.,J.] & [S.S.Y.,J.]
25.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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J.NISHA BANU, J.
and
S.SRIMATHY, J.

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ORDER MADE IN
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