



W.P(MD)No.5770 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2025

CORAM:

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

W.P(MD)No.5770 of 2023

D.Murugesan

... Petitioner

VS.

1.The District Collector,
Thanjavur District, Thanjavur.

2.The Tahsildar,
Poothalur Taluk,
Poothalur, Thanjavur District.

3.The Block Development Officer,
Poothalur Panchayat Union,
Poothalur,
Thanjavur District.

4.R.Kaliyamoorthy
5.K.Arivu @ Rengasamy
6.Esu @ Panchamoorthy
7.Varatharajan

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the third respondent to remove the encroachment made by the respondents 4 to 7 in the North Street



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(Survey No.316) of Old Arcot Village, Mullakudi Post, Poothalur Taluk, Thanjavur District and restore the public pathway to its original extent in light of the proceedings of the second respondent passed in Na.Ka.No.5801/2022/Aa1 dated 30.11.2022 as well as based on the joint representation dated 28.11.2022 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For RR 1 to 3 : Mr.P.Thilak Kumar
Government Pleader

ORDER

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

It is the grievance of the petitioner that his representation dated 28.11.2022, to remove the encroachment made by the respondents 4 to 7 in the North Street (Survey No.316) of Old Arcot Village, Mullakudi Post, Poothalur Taluk, Thanjavur District and restore the public pathway to its original extent in light of the proceedings of the second respondent dated 30.11.2022, is kept pending till date without any progress. Therefore, he has filed this Writ Petition with the aforesaid prayer.

2.The learned Government Pleader appearing for the respondents 1 to 3 submits that the representation of the petitioner would be considered and



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appropriate orders would be passed on its own merits within a period that may be stipulated by this Court.

3.Considering the limited scope of the prayer sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner either in the representation or in the affidavit filed in support of this Writ Petition, we direct the respondents 1 to 3 to consider the representation of the petitioner dated 28.11.2022, after giving sufficient opportunity of hearing to the petitioner and the respondents 4 to 7 and pass appropriate orders on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4.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.]
17.03.2025

NCC : Yes / No
Index : Yes / No
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J.NISHA BANU, J.
and
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ORDER MADE IN
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