

W.P.(MD) No.8109 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 18.03.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.8109 of 2024

Shanmugavel

... Petitioner

-Vs-

1.The District Collector,
Karur, Karur District.

2.The Tahsildar,
Karur Taluk, Karur District.

3.The Block Development Officer,
Thanthoni, Karur District.

4.The Panchayat President,
Aandankoil East Panchayat,
Karur District.

5.M/s.Fortune Builders,
Rep. by its Managing Director,
Veera Raja

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment

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made by the 5th respondent in the panchayat roads in Survey Nos.1708 and 1706, Aandankoil East Panchayat, Thanthoni Union, Karur District and consequently, to direct the respondents 1 to 4 to ensure that there is free ingress and egress in the Panchayat roads running through the Fortune River View, Aandankoil East Panchayat, Thanthoni Union, Karur District.

For Petitioner : Mr.P.Samuel Gunasingh

For R1 to R4 : Mr.S.S.Madhavan,

Additional Government Pleader

ORDER

[Order of the Court was made by *J.NISHA BANU, J.*]

The petitioner seeks a direction to the respondents 1 to 4 to remove the encroachment made by the 5th respondent in the panchayat roads in Survey Nos.1708 and 1706, Aandankoil East Panchayat, Thanthoni Union, Karur District and to ensure that there is free ingress and egress in the Panchayat roads running through the Fortune River View, Aandankoil East Panchayat, Thanthoni Union, Karur District.

2.The learned counsel appearing for the petitioner would submit that based on the representation of the petitioner, the 3rd respondent, vide proceedings dated 02.12.2022, directed the 4th respondent to conduct inspection and thereafter,



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take action in the manner known to law. However, till date, the 4th respondent has not taken any action.

3.The learned Additional Government Pleader appearing for the respondents 1 to 4 would submit that necessary action in this regard would be taken by the authority concerned within a time frame that may be stipulated by this Court.

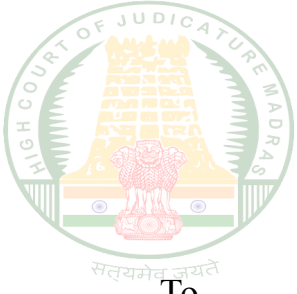
4.Considering the submissions made on either side and considering the fact that though the proceedings has already been initiated, the same has not reached its logical end, we direct the 4th respondent to initiate further proceedings, as per the direction given by the 3rd respondent vide his proceedings dated 02.12.2022 and complete the same, after providing opportunity of hearing to the petitioner and the 5th respondent, within a period of twelve weeks from the date of receipt of a copy of this order.

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

[J.N.B., J.] & [S.S.Y., J.]
18.03.2025

NCC : Yes / No
Index : Yes / No
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