



W.P(MD)No.8848 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.8848 of 2024

K.Velusamy

... Petitioner

vs.

- 1.The District Collector Cum Chairperson of the Monitoring Committee,
O/o.District Collectorate,
Theni District.
- 2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Uthamapalayam,
Theni District.
- 3.The Thasildar,
Bodinayakkanoor Taluk,
Theni District.
- 4.Surulivel Gounder
- 5.S.Vijayakumar
- 6.Jaisankar
- 7.Raja

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent Nos.1 to 3 to remove the illegal encroachments made by the respondent Nos.4 to 7 in public pathway situated in S.Nos.990/21, 989 and 993 situated at Manjinayakkan Patti, Bodinayakkanoor Taluk, Theni District within the time frame stipulated by this Court.

For Petitioner	: Mr.S.Rajasekar
For RR 1 to 3	: Mr.M.Sarangan Additional Government Pleader
For RR 4 to 6	: Mr.C.Jeganathan

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 respondent Nos.1 to 3 to remove the illegal encroachments made by the respondent Nos.4 to 7 in public pathway situated in S.Nos.990/21, 989 and 993 situated at Manjinayakkan Patti, Bodinayakkanoor Taluk, Theni District within the time frame stipulated by this Court.



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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 to 6.

3. Though the petitioner has come up with a larger prayer, he would state that it would be suffice, if his representation dated 18.12.2023 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 public place in question would be surveyed by the authority concerned in the presence of the petitioner as well as respondents 4 to 7, 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.



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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 to 7 and after affording due opportunity to the parties concerned and if there is any encroachment as claimed by the petitioner in the place in 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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and
S.SRIMATHY, J.

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ORDER MADE IN
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