



W.P(MD)No.10237 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.02.2025

CORAM :

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

W.P(MD)No.10237 of 2024

K.Balachander

... Petitioner

vs.

1. The District Collector,
Madurai District, Madurai.

2. The Block Development Officer(Village Panchayat),
O/o. the Block Development Office,
Madurai West, Madurai.

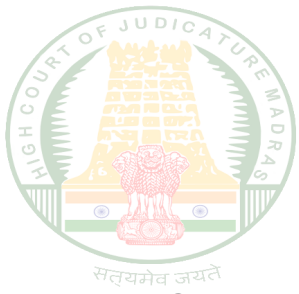
3. The Tahsildar
O/o. North Taluk Office,
Madurai North, Madurai.

4. The Village Administrative Officer,
Iraniyam Panchayat,
Thulukkankulam Village,
Madurai District.

5. The Panchayat President,
Iraniyam Panchayat,
Madurai District.

6. P.Mohan
7. M.Priya

... Respondents



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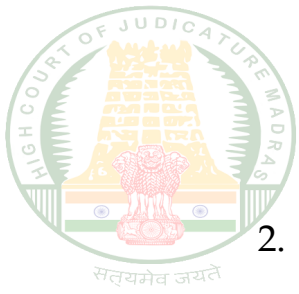
PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the 6th and 7th respondents in the public pathway, on 20 feet east-west road lies on the northern side of Plot No.15 in Survey No.79/6A at Thulukkankulam Village, Iraniyam Panchayat, Madurai District, by considering the petitioner's representation dated 14.03.2024 and 06.04.2023 within the period that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.C.Venkatesh Kumar for
M/s.Ajmal Associates
For R1 to R5 : Mr.J.Ashok
Additional Government Pleader

ORDER

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

The prayer in this writ petition is for issuance of a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the 6th and 7th respondents in the public pathway, on 20 feet east-west road lies on the northern side of Plot No. 15 in Survey No.79/6A at Thulukkankulam Village, Iraniyam Panchayat, Madurai District, by considering the petitioner's representation dated 14.03.2024 and 06.04.2023 within a time frame.

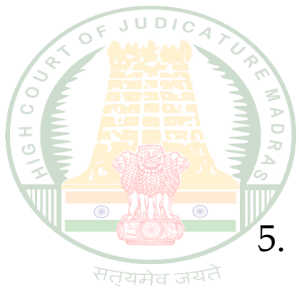


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2. Though the petitioner sought for the abovesaid prayer, today, when the writ petition was taken up for hearing, learned counsel appearing for the petitioner submitted that it is suffice if a direction is issued to the official respondents and consider and dispose of the petitioner's representation dated 14.03.2024 within a time frame.

3. Learned Additional Government Pleader appearing for the official respondents submitted that the representation of the petitioner dated 14.03.2024 would be considered and appropriate orders would be passed on its own merits within a time frame that may be stipulated by this Court.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 to 5. Both the court notice and private notice sent to the respondents 6 and 7 returned with an endorsement 'no such addressee'. Since no adverse order is going to be passed, this Court is inclined to dispose of this writ petition.



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5. In the light of the above observations, there shall be a direction to the official respondents to consider the petitioner's representation dated 14.03.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, private respondents, as well as all other persons, who may be interested in the subject property, within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.

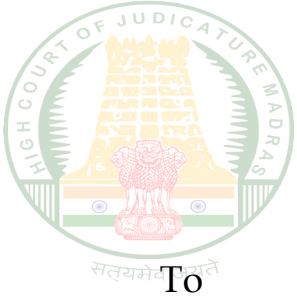
6. With the above direction, the Writ Petition stands disposed of. No costs.

[J.N.B, J.]

[S.S.Y, J.]

28.02.2025

Index : Yes / No
Neutral Citation : Yes / No
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AND
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ORDER MADE IN
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