

WP(MD). No.23252 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 02/04/2025

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

**WP(MD). No.23252 of 2024
and WMP(D) NO.19695 of 2024**

T.Tamilalagan

... Petitioner

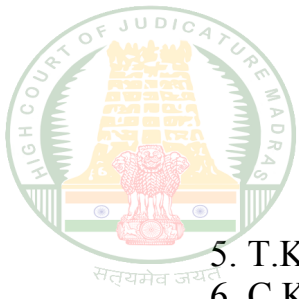
Vs

1. The District Collector,
Virudhunagar District,
Collectorate, Virudhunagar..

2. The Tahsildar,
Rajapalayam Taluk Office,
Virudhunagar District..

3. The Block Development Officer,
(Village Panchayats),
Rajapalayam Panchayat Union,
Panchayat Union Office,
Tenkasi Road,
Rajapalayam Post - 626117,
Virudhunagar District..

4. The President,
Nallamangalam Village Panchayat,
Rajapalayam Panchayat Union,
Virudhunagar District..



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5. T.Kathiraesan

6. C.Komu

7. T.Kumar

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the obstruction and other encroachments by putting up fencing made by the respondents 5 to 7 in the Government Public pathway more particularly pathway runs through in Survey No. 86/9A to 9E in Nallamangalam village Panchayat, Rajapalayam Panchayat Union, Virudhunagar District, within a stipulated time may be fixed by this Court.

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.P.Thilak Kumar for R1 to R3
Government Pleader
Mr.V.Muthukamatchi for R4
Mr.M.JothiBasu for R5 to R7

ORDER

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

The writ petition has been filed directing the respondents 1 to 4 to remove the obstruction and other encroachments by putting up fencing made by the respondents 5 to 7 in the Government Public pathway more particularly pathway runs through in Survey No. 86/9A to 9E in Nallamangalam village Panchayat, Rajapalayam Panchayat Union,



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Virudhunagar District, within a stipulated time may be fixed by this Court.

2. It is the case of the petitioner that the private respondents have encroached the pathway in the aforesaid survey number and in order to take action and for removing the same, the petitioner has sent a representation to the respondents on 06.08.2024. Since the said representation has not been considered so far, the petitioner is before this Court with this writ petition.

3. The learned Government Pleader would submit that survey would be conducted and if there is any encroachment found, it would be removed.

4. We have heard the learned counsel for the petitioner, the learned Government Pleader and the learned counsel for the respondents and perused the materials available on record.

5. Considering the facts and circumstances of the case and without



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going into the merits of the matter, the 2nd respondent is directed to consider the representation of the petitioner dated 06.08.2024 and by conducting survey in the presence of the petitioner and other private respondents, pass suitable orders thereon, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

02.04.2025

NCC : Yes/No

Index : Yes/No

RR

To

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Virudhunagar District..

3. The Block Development Officer,
(Village Panchayats), Rajapalayam Panchayat Union,
Panchayat Union Office, Tenkasi Road,
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Virudhunagar District..

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RR

ORDER
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