



WEB COPY

1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30/09/2014

CORAM

THE HONOURABLE MS.JUSTICE K.B.K.VASUKI

AND

THE HONOURABLE MRS.JUSTICE S.VIMALA

W.P. (MD) .No.16464 of 2014

and

M.P (MD) No.1 of 2014

M.Ramaiah

... Petitioner

Vs

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Tha.Vadipatti Taluk,
Madurai District.

3.The Commissioner of Panchayat Union,
Vadipatti Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider to remove the encroachment in Survey No.1749/09 obstructing the petitioner's enjoyment of the pathway to his residence as evidenced from the letter of the Head Quarter Deputy Thasildar, dated 16.07.2014.

For Petitioner : Mr.D.Selvanayagam

For Respondent : Mr.A.K.Baskara Pandian
Special Govt. Pleader
for RR 1 & 2

: Mr.T.S.Mohammeed Mohideen
for R 3

ORDER

[Order of the Court was made by S.VIMALA, J.]

The Writ Petition has been filed seeking direction to the respondents to remove the encroachment in Survey No.1749/09 obstructing the petitioner's enjoyment of the pathway to his residence.



2.It is evident that a representation, dated 09.08.2014 has been given to the Commissioner of Panchayat Union, Vadipatti Taluk seeking intervention in removing the encroachment.

3.

3. It is represented that despite the representation given, no action has been taken by the Commissioner of Panchayat Union, Vadipatti Taluk.

4. In the above said circumstances, the Commissioner of Panchayat Union, Vadipatti Taluk is directed to consider the representation, dated 09.08.2014 given by the petitioner herein and to pass appropriate orders on merits and in accordance with law within a period of four 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. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(T & P)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Tha.Vadipatti Taluk,
Madurai District.

3.The Commissioner of Panchayat Union,
Vadipatti Taluk,
Madurai District.

+1cc to Mr.D.Selvanayagam Advocate, Sr.No. 55537

+1cc to Spl.Government Pleader Sr.No. 55559

mvs/ps

AA/09.10.2014/2p-6c/

W.P. (MD) .No.16464 of 2014
and

M.P (MD) No.1 of 2014
30/09/2014