



W.P.(MD) No.22989 of 2015

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

and

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.22989 of 2015
and W.M.P.(MD)No.2419 of 2016

- 1.P.Sulochana
- 2.P.Raja
- 3.M.Neelavathi
- 4.N.Sathyadevi

... Petitioners

Vs.

- 1.The Secretary to the Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Fort St. George,
Chennai.
- 2.The Director of Rural Development and
Panchayat Raj Department,
Rural Development and Panchayat Raj
Panagal Building, 4th and 5th Floor,
Jeenis Road,
Saidapet, Chennai – 600 015.



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- 3.The District Collector,
Trichy District.
- 4.The Superintendent of Police,
Trichy District.
- 5.The Revenue Divisional Officer,
Trichy District.
- 6.The Tahsildar,
Srirangam Taluk,
Trichy District.
- 7.The Block Development Officer,
Anthanallur Panjayat Union,
Srirangam Taluk,
Trichy District.
- 8.The Chairman,
Anthanallur Panjayat Union,
Srirangam Taluk,
Trichy District.
- 9.R.Alagesan
- 10.Inspector of Police,
Jeeyapuram Police Station,
Trichy District.
- 11.Shanmugalakshmi
- 12.The Panchayath President,
Pettavaithalai Panchayath,



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Anthanalur Union, Srirangam Taluk,
Trichy District.

13.A.Rathinam Alagesan

14.G.Rakkan

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to take appropriate action against the respondents 8 and 12 under Sections 207 & 205 of the Tamil Nadu Panchayats Act 1994 and also to remove the encroachments made in the petitioners land by the Respondents 8, 9, 12, 13 and 14 which is situated at Trichirapalli District, Pettavaithalai Revenue Village, Palangaveri Village, in S.F.No.41/3 out of Hec.0.48.0 Areas, (Ac.1.06 cents) to an extent of 5 cents house site called as “Vathakuzhi land”, with the four boundaries on the North of Indra House, West of Thiruganam house in S.F.No.41/5, South of Ayyan Vaikkal S.F.NO.41/1, East of Raja house site (2nd petitioner), with compensation from respondents 8,9,11,12,13 and 14 for their malafie, illegal act.

For Petitioners : Mr.R.Rajaraman

For Respondents : Mr.P.Thilakkumar,
Govt. Pleader for R1, R2, R3, R5 to R7
Mr.T.Senthil Kumar,
Addl. Public Prosecutor for R4, R9 & R10
No Appearance for R8, R9 & R11 to R14



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ORDER

[Order of the Court was made by R.MAHADEVAN, J.]

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to take appropriate action against the respondents 8 and 12 under Sections 207 & 205 of the Tamil Nadu Panchayats Act, 1994 and also to remove the encroachments made in the petitioner's land by the Respondents 8, 9, 12, 13 and 14.

2. It is the case of the petitioners that the respondents 8, 9, 12, 13 and 14 have encroached their land. Hence, the first petitioner's husband filed a suit in O.S.No.1487 of 1995 on the file of the District Munsif Court, Tiruchirapalli, against the above said respondents for a permanent injunction and the said suit was decreed . However, the respondents 1 to 3 have failed to initiate any action against the respondents 8, 9, 12, 13 and 14 for their illegal act. Hence, this Writ petition.



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WEB COPY 3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. Today, when the matter was taken up for hearing, the learned counsel appearing for the petitioners submitted that the Writ petition may be closed with liberty to the petitioners to approach the authorities concerned for appropriate relief, on the basis of the judgment and decree passed in the civil suit in O.S.No. 1487 of 1995 on the file of the District Munsif, Tiruchirapalli.

5. Thus, granting such liberty, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] [J.S.N.P., J.]

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vsm



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- 8.The Chairman,
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- 9.Inspector of Police,
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- 10.The Panchayath President,
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