



W.P(MD)No.214 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2023

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.214 of 2023

Mathiyalagan

... Petitioner

VS.

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.
- 3.The Block Development Officer (Village Panchayat),
Thiruvarankulam Panchayat Union,
Alangudi Taluk,
Pudukkottai District.
- 4.Siddar
- 5.Guanasekaran
- 6.Rengadurai
- 7.Nagan
- 8.Nadarajan
- 9.Govindasamy
- 10.Manickam
- 11.Chellakannu
- 12.Perumal
- 13.Kulanthaivel

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WEB COURT

- 14.Muniyan
- 15.Balasubramanian
- 16.Selvarasu
- 17.Anandhan
- 18.Nadarajan
- 19.Ravichandran
- 20.Gunasekaran
- 21.Siddar
- 22.Dhanuskodi
- 23.Mathiyalagan
- 24.Govindan
- 25.Krishnan
- 26.Dhanuskodi
- 27.Ivaran
- 28.Durairaj
- 29.Ramukannu
- 30.Shanthi
- 31.Reneswari
- 32.Meyyappan
- 33.Duraisamy
- 34.Murugesan
- 35.Ramamoorthi
- 36.Thatchinamoorthi
- 37.Pannerselvam
- 38.Mariappan
- 39.Selvaraj
- 40.Karuppaiah
- 41.Ganesan
- 42.Rengasamy
- 43.Narayanan
- 44.Ramamoorthi
- 45.Appadurai
- 46.Subramanian
- 47.Annadurai
- 48.Rengadurai
- 49.Subramanian
- 50.Selvarasu
- 51.Gunasekaran
- 52.Siddar



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- 53.Ravichandran
- 54.Thirupathi
- 55.Vellaisamy
- 56.Muthuvel
- 57.Mari
- 58.Arami
- 59.Ganapathi
- 60.Paramasivam
- 61.Ramamoorthi
- 62.Narayanan
- 63.Arangan
- 64.Manickam
- 65.Mariappan
- 66.Ganesan
- 67.Arungulavan
- 68.Ganesan
- 69.Annasamy
- 70.Arulselvam
- 71.Manickam
- 72.Govindasamy
- 73.Seethai
- 74.Selvaraj

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the respondents 4 to 74 in Survey Nos.33/33, 90/90, 129/29, 168/11, 251/251, 258/2, 276/276, 289/289, 345/2, 47/2, 184/24, 441/6, 444/4, 433/7 and 109/2 at Pallathividuthi Village, Alangudi Taluk, Pudukkottai District, based on the petitioner's representation, dated 05.12.2022.



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For Petitioner : Mr.D.Rameshkumar

For RR 1 to 3 : Mr.P.Thilak Kumar
Government Pleader

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The prayer in this Writ Petition is seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment made by the respondents 4 to 74 in Survey Nos.33/33, 90/90, 129/29, 168/11, 251/251, 258/2, 276/276, 289/289, 345/2, 47/2, 184/24, 441/6, 444/4, 433/7 and 109/2 at Pallathividuthi Village, Alangudi Taluk, Pudukkottai District, based on the petitioner's representation, dated 05.12.2022.

2. According to the petitioner, he is a resident of Pallathividuthi Village and there are lot of encroachments made by the respondents 4 to 74 in Village Pond, water channels, roads, Temple lands, water bodies and other Government lands. Hence, the petitioner made a representation,



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dated 05.12.2022 to the respondents 1 to 3 to remove the encroachments made in the abovesaid survey numbers. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

3. The learned Government Pleader appearing for the respondents 1 to 3, on instructions, submitted that the representation of the petitioner, dated 05.12.2022 would be considered and appropriate action will be taken in accordance with law.

4. In view of the abovesaid submission, without going into the merits of the claim made by the petitioner, the authorities concerned are directed to consider the representation of the petitioner, dated 05.12.2022 and pass appropriate orders, on merits and in accordance with law. If there is any encroachment as claimed by the petitioner, after issuing notice to all other parties including the respondents 4 to 74, the respondents 2 and 3 shall take necessary action for removal of the encroachment, after affording sufficient opportunity of personal hearing to all the parties concerned and by following due process of law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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WEB COPY 5. With the above direction, this Writ Petition is disposed of. No costs.

[D.K.K.,J.] [R.V.,J.]

05.01.2023

Index : Yes / No
Internet : Yes
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To

- 1.The District Collector,
Pudukkottai District,
Pudukkottai.
- 2.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.
- 3.The Block Development Officer (Village Panchayat),
Thiruvarankulam Panchayat Union,
Alangudi Taluk,
Pudukkottai District.



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D.KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
W.P(MD)No.214 of 2023

DATED : 05.01.2023