



**W.P(MD)No.16560 of 2020**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 20.01.2023**

**CORAM:**

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

**W.P(MD)No.16560 of 2020**

A.Rasiya Begum

... Petitioner

VS.

- 1.The District Collector,  
Collectorate Office,  
Tiruchirappalli.
- 2.The Revenue Divisional Officer,  
Lalgudi,  
Tiruchirappalli.
- 3.The Block Development Officer,  
Manachanallur,  
Trichy.
- 4.The Revenue Tahsildar,  
Lalgudi,  
Trichirappalli.
- 5.Jinnah
- 6.Fyzuddin



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7.The Divisional Engineer,  
Operation and Maintenance,  
Highways Department,  
Subramaniapuram,  
Tiruchirappalli.

... Respondents

(R – 7 is *suo motu* impleaded vide order  
dated 24.11.2020 in W.P(MD)No.16560 of 2020)

**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 4 to take action on the petitioner's representation dated 18.05.2020 for removal of the encroachment made in the Vaikkal and Government poramboke land (bus stand) situated nearby the property in S.F.No.57/8 adjacent to Tolgate – Chidambaram, National Highways, Manachanallur Taluk, Trichirappalli District.

For Petitioner : Mr.M.Siddharthan

For RR 1 to 4 & 7 : Mr.P.T.Thiraviyam  
Government Advocate

For RR 5 – 6 : Mr.T.Lenin Kumar

### **ORDER**

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

The prayer in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to take action on the



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petitioner's representation dated 18.05.2020 for removal of the encroachment made in the Vaikkal and Government poramboke land (bus stand) situated nearby the property in S.F.No.57/8 adjacent to Tolgate – Chidambaram, National Highways, Manachanallur Taluk, Trichirappalli District.

2.Today, when the matter is taken up for hearing, the learned Government Advocate appearing for the respondents 1 to 4 & 7 has produced the 'A' register and submitted that as per the 'A' register, the property comprised in Survey No.57/8 belongs to Nizamudeen and three others and the property comprised in Survey No.57/7 is classified as Vaikkal, which belongs to the Panchayat and the President is the competent authority for removal of encroachment and necessary action will be taken for removal of the same, as contemplated under the Panchayat Act.

3.Recording the abovesaid submission, this Writ Petition is disposed of directing the authority concerned to survey the property comprised in Survey No.57/7 and pass appropriate orders on merits and in accordance with law. If there is any encroachment, after issuing notice and conducting survey in the presence of the petitioner and all other parties



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concerned, the authorities concerned shall take necessary action for removal of such 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 weeks from the date of receipt of a copy of this order. No costs.

**[D.K.K.,J.]      [R.V.,J.]**  
**20.01.2023**  
**(2/2)**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
ps

To

- 1.The District Collector,  
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**D.KRISHNAKUMAR,J.**  
**and**  
**R.VIJAYAKUMAR,J.**

ps

**ORDER MADE IN**  
**W.P(MD)No.16560 of 2020**

**DATED : 20.01.2023**  
**(2/2)**