



W.P(MD)No.19630 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 05.10.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.19630 of 2023
and
W.M.P(MD)No.16205 of 2023**

Zeenath Beevi

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District.
- 2.The Revenue Divisional Officer,
Nagercoil,
Kanyakumari District.
- 3.The Tahsildar,
Thovalai Taluk,
Kanyakumari District.
- 4.The Executive Engineer,
Public Works Department (WRO),
Kothaiyaaru Basin Division,
Nagercoil,
Kanyakumari District.



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5.The Assistant Engineer,
Public Works Department
(Water Resource Organisation),
Boothapandi, Kanyakumari District.

6.Feros Khan

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachments made in Survey Nos. 899/5, 800/2 and 799/19 of Madhavalayam Village, Thovalai Taluk, Kanyakumari District.

For Petitioner : Mr.A.S.Abdul Kalaam Azad

For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R.1 to R.5

Mr.R.Karunanidhi for R.6

ORDER

Heard both sides.

2. The prayer in this writ petition is for removal of encroachments said to have been committed by the sixth respondent.

3. Today when the matter was taken up for hearing, the learned Special Government Pleader appearing for the official respondents submitted that already Form – II notice was issued on 28.09.2023.



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4. We direct the official respondents to take the matter to its logical conclusion. We make it clear that the rights of the sixth respondent has not been adjudicated in this writ petition. They are left open.

5. This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [B.P., J.]
05.10.2023

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MGA

To

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