



W.P.(MD)No.24511 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.10.2023

CORAM

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**
AND
THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.(MD)No.24511 of 2023

R.Sethumathi

...Petitioner

-Vs.-

1.The District Collector,
Office of Madurai District Collector,
Madurai – 625 020.

2.The Tahsildar,
Thiruparamkundram Taluk,
Madurai District.

3.Rajangam

4.Vijayalakshmi

5.Rajendran

...Respondents

PRAYER:- Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondents No.1 and 2 to remove the encroachment in the survey No.301, Nilaiyur I Bit Village, Thiruparamkundram Taluk, Madurai District, which is encroached by the Respondents No.3 to 5 within stipulated time may be fixed by this Court.



W.P.(MD)No.24511 of 2023

For Petitioner : Mr.S.Ayyanar Prem Kumar

For Respondents : Mr.P.Thilak Kumar
Government Pleader
for R1 and R2

ORDER

(Order of the Court was made by **S.M.SUBRAMANIAM, J.**)

The Writ Petition on hand has been instituted to direct the respondents No.1 and 2 to remove the encroachment in survey No.301, Nilaiyur I Bit Village, Thiruparamkundram Taluk, Madurai District, which is encroached by the Respondents No.3 to 5 within a time frame.

2. By consent of both sides, this Writ Petition is taken up for final hearing at the admission stage itself. In view of the order proposed to be passed in this Writ Petition, protecting the interest of the respondents 4 and 5 also, notice to the respondents 4 and 5 is dispensed with.

3. The grievances of the writ petitioner is that the road is encroached upon by the private individuals and the complaint submitted by the petitioner has not been responded. Thus, the petitioner is constrained to move the present Writ Petition.



W.P.(MD)No.24511 of 2023

4. Learned Government Pleader appearing for the respondents

1 and 2 made a submission that based on the complaint given by the petitioner, action was initiated and notice was issued to the encroachers.

5. It is needless to state that if there is a dispute of civil nature between private individuals, then the authorities are bound to relegate them to approach the competent Civil Court of law. If the Government poramboke lands / roads are encroached upon, then actions are to be initiated to evict the encroachers, by following the procedures as contemplated under relevant statutes, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above observations, this Writ Petition stands disposed of. No costs.

[S.M.S.J.] & [V.L.N.J.]
10.10.2023

NCC :Yes/No
Index :Yes/No
SJ

To
1. The Director,
City Town Planning Authority,
807, Anna Salai,
Chennai – 600 002.



WEB COPY



W.P.(MD)No.24511 of 2023

S.M.SUBRAMANIAM, J.
AND
V. LAKSHMINARAYANAN, J.

SJ

2.The District Collector,
Madurai District,
Madurai.

3.The Member Secretary,
Madurai Town Planning Authority,
Madurai.

W.P.(MD)No.24511 of 2023

10.10.2023