



W.P.(MD) No.986 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.986 of 2024

and

W.M.P(MD)Nos.1009 and 1010 of 2024

Arulmighu Sri Alagumalaiyan
Arulmigu Sri Vellaiyammal
Thirukoil Paribalana Arakattalai,
Bearing Registration No.8/2014,
Represented through its Trustee M. Jeyaraman

... Petitioner

Vs.

1. The District Collector,
Madurai.
2. The Block Development Officer,
Vadipatti Taluk, Madurai District.
3. The Tahsildar,
Vadipatti Taluk, Madurai District.
4. Velchezliyan
5. Palanichamy
6. Panneerselvam



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7. Shanmugavel

... Respondents

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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 necessary action for removal of the encroachment made by the respondents 4 to 7 in the property comprised in S.No.1758/15 Katchaikatti Post, T.Vadipatti Taluk, Madurai District classified as Arasu Natham Manai Theru (அரசு நத்தம் மனை தெரு) in the Government records.

For Petitioner	:Mr.R.G.Shankar Ganesh
For R-1 & R-3	:Mr.J.Ashok, Additional Government Pleader
For R-2	:Mr.N.Satheesh Kumar, Additional Government Pleader

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 3, to take necessary action for removal of the encroachment made by the respondents 4 to 7 in the property comprised in S.No.1758/15 of Katchaikatti Post, T.Vadipatti Taluk, Madurai District, which is classified as Arasu Natham Manai Theru (அரசு நத்தம் மனை தெரு) in the Government records.



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2. According to the petitioner, with regard to the removal of encroachment in Survey No.1758/15 situated at Katchaikatti Post, on 19.12.2023, the petitioner has made a representation to the respondents 1 to 3. But, so far, no action has been taken by the authorities. Hence, the petitioner has filed this writ petition with the aforesaid prayer.

3. The learned Additional Government Pleaders appearing for the official respondents, on instructions, would submit that the property in question is a street and therefore, the competent authority for removal of encroachment is the second respondent, namely, the Block Development Officer, Vadipatti Taluk, Madurai District.

4. In view of the above, without going into the merits of the case, we direct the respondents 2 and 3, to consider the petitioner's representation, dated 19.12.2023 and to take necessary action for the removal of encroachments in the place in question, after providing opportunity to the petitioner as well as the alleged encroachers in the said property. Such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



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5. With the above directions, this writ petition stands disposed of. No Costs. Consequently, connected Miscellaneous Petitions are closed.

[D.K.K., J.]

[R.V., J.]

28.02.2024

Neutral Citation: Yes / No
Index : Yes / No

PM

To:

1. The District Collector,
Madurai.
2. The Block Development Officer,
Vadipatti Taluk, Madurai District.
3. The Tahsildar,
Vadipatti Taluk, Madurai District.



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and
R.VIJAYAKUMAR, J.

PM

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