



W.P(MD)No.6591 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :19.03.2024

CORAM:

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

**W.P(MD)No.6591 of 2024
and
W.M.P(MD)No.6152 of 2024**

P.Rajamani

... Petitioner

vs.

- 1 The District Collector,
Collectorate Campus,
Madurai District,
Madurai
- 2 The Superintendent of Police,
Madurai District,
Madurai.
- 3 The Revenue Divisional Officer/
Chairperson Divisional Monitoring Committee,
Usilampatti, Madurai District.
- 4 The Deputy Superintendent of Police, Peraiyur,
Madurai District.
- 5 The Assistant Director Cum P.A. to District Collector,
District Survey Office,
Old Ramanathapuram Collectorate Campus,
Madurai 20.
- 6 The Assistant Engineer,
TANGEDCO,
T.Kallupatti - Rural,
Madurai District.



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7 The Tahsildar,
Taluk Office,
Peraiyur Taluk,
Madurai District.

8 The Inspector of Police
T.Kallupatti Police Station,
Madurai District.

9 The President,
Chittulotti Panchayat,
T.Kallupatti Panchayat Union, Madurai District.

10 Umavathi

... 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, 3 , 5 and 7 to take necessary and appropriate action for removal of encroachment made by the 10th respondent in blocking the road in S.No.164/2 of Chittalotti Village, Peraiyur Taluk, Madurai District, based on the representations submitted by R. Mutheeswari, M.Muniyammal the 9th respondent, Arthi, Union Secretary of Puthiya Thamilaagam Katchi, T.Kallupatti Union, Madurai District and petitioner's representation, submitted through Paramasivam, dated 09.01.2024.

For Petitioner : Mr.R.Murugan

For R-1, R-3, R-5 & R-7 : Mr.P.Thilak Kumar,
Government Pleader

For R-2, R-4 & R-8 : Mr.S.S.Madhavan,
Government Advocate(Crl. Side)



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ORDER

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(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, 3 , 5 and 7, to take necessary and appropriate action for removal of encroachment made by the 10th respondent blocking the road in S.No.164/2 of Chittalotti Village, Peraiyur Taluk, Madurai District, based on the representations submitted by R.Mutheeswari, M.Muniyammal, the 9th respondent Arthi, Union Secretary of Puthiya Thamilagam Katchi, T.Kallupatti Union, Madurai District and the petitioner's representation, submitted through Paramasivam, dated 09.01.2024.

2. The case of the petitioners is that the petitioner along with other villagers made a representation to the eighth respondent on 09.01.2024, requesting to remove the encroachment made by the tenth respondent, who is closely related to a Minister. The said encroachment is made by blocking the road leading to Gopalsamy Mountain, which is available in the revenue records. Since the said representation was not considered by the authorities, the petitioner has filed this writ petition, with the aforesaid prayer.



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3. The further case of the petitioner is that the tenth respondent fabricated the revenue records with the assistance of the seventh respondent and created an image as if the road leading to Gopalsamy Mountain was laid by the tenth respondent and made encroachment in the said road.

4. We have heard the learned counsel appearing on either side and perused the materials placed before us.

5. A perusal of the representation made by one Muniammal, dated 29.04.2024, would show that the house of the said Muniammal was demolished at the instance of the tenth respondent and her men and in this regard, a police complaint has also been lodged on 06.12.2023 for taking action as against the tenth respondent and her men for the said illegal activity. But, the prayer sought for in the writ petition is for removal of encroachment made by the tenth respondent blocking the road in S.No.164/2 of Chittalotti Village, Peraiyur Taluk, Madurai District.

6. In such circumstances, if there is any encroachment as alleged by the petitioner and other villagers in S.No.164/2 of Chittalotti Village, Peraiyur Taluk, Madurai District, which is classified as a road, the respondents 3 and 7, shall take action for removal of such encroachment, by following the procedure contemplated under law, after providing opportunity to all the parties concerned.



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7. With the above direction, the writ petition stands disposed of. No

Costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,J.]

[R.V.,J.]

19.03.2024

NCC : Yes / No
Index : Yes / No
PM

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Madurai
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and
R.VIJAYAKUMAR, J.

PM

ORDER MADE IN
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