



W.P(MD)No.3769 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :20.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

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M.Jayarani,
The President,
Kulathur Village Panchayat,
Kundratar Kovil Panchayat Union,
Kulathur Taluk,
Pudukottai District.

... Petitioner

Vs.

1.The Tahsildar,
Kulathur Taluk Office,
Kulathur Taluk,
Pudukottai District.

2.The Block Development Officer,
Kundratar Kovil Panchayat Union,
Kulathur Taluk,
Pudukottai District.

3.Arumugam
4.Venkateshwari
5.Maruthaisamy

... 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 and 2 to conduct enquiry and to remove the encroachment made by the respondent Nos.3 to 5 in Survey No.662/1 situated in Kulathur Village Panchayat, Kundratar Kovil Panchayat Union, Kulathur Taluk, Pudukkottai District on the basis of the petitioner's representation dated 24.01.2024.

For Petitioner	:Mr.K.Arunraj
For R-1	:Mr.N.Satheesh Kumar, Additional Government Pleader
For R-2	:Mr.S.P.Maharajan, Special Government Pleader

ORDER

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

Mr.N.Satheesh Kumar, learned Additional Government Pleader, takes notice for the first respondent.

2. Mr.S.P.Maharajan, learned Special Government Pleader, takes notice for the second respondent.

3. The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus, directing the respondents 1 and 2, to conduct enquiry and to remove the encroachment made by the respondent Nos.3



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to 5 in Survey No.662/1 situated in Kulathur Village Panchayat, Kundratar Kovil Panchayat Union, Kulathur Taluk, Pudukkottai District on the basis of the petitioner's representation dated 24.01.2024.

4. The case of the petitioner is that she is the President of Kulathur Village Panchayat, Kulathur Taluk, Pudukkottai District and the private respondents have made encroachments in a certain portion of the school situated in the petitioner's village. Hence, the petitioner has made a representation to District Collector, Pudukkottai District, seeking to take action for removal of the encroachments made by the private respondents. Subsequently, proceedings were also initiated by issuing a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905. Thereafter, no action has been taken by the respondents. Therefore, once again, on 24.01.2024, the petitioner has made a representation to the respondents 1 and 2, seeking to remove the encroachment. Even then, there is no action taken by the authorities. Hence, the petitioner has filed this writ petition with the aforesaid prayer.

5. Considering the submissions made on either side, we direct the first respondent/Tahsildar, Kulathur Taluk, Pudukkottai District, to



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consider the petitioner's representation, dated 24.01.2024 and if there is any encroachment made by the respondents 3 to 5, to pass appropriate orders, with regard to removal of encroachment under the Tamil Nadu Land Encroachment Act, 1905. Such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order after providing opportunity to all the parties concerned.

With the above direction, this writ petition is disposed of.
No Costs.

[D.K.K., J.] [R.V., J.]
20.02.2024

Neutral Citation: Yes / No
Index : Yes / No

PM

To:

- 1.The Tahsildar,
Kulathur Taluk Office,
Kulathur Taluk,
Pudukottai District.
- 2.The Block Development Officer,
Kundratar Kovil Panchayat Union,
Kulathur Taluk,
Pudukottai District.



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