



W.P.(MD)No.6389 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2024

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.6389 of 2024

Vellaichamy

: Petitioner

Vs.

- 1.The District Collector,
Office of the Collectorate building,
Madurai District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Melur,
Madurai District.
- 3.The Tahsildar,
Office of the Tahsildar,
Melur,
Madurai District.
- 4.The Block Development Officer,
Kottampatti Village Panchayat,
Madurai District.



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5.The Panchayat President,
Katchirayanpatti Village,
Melur, Madurai District.

6.R.Ramesh

7.Jeyanthiyammal

8.Selvamani

9.Selvam

10.Karuthasamy

11.Ponnammal

12.Ravichandran

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 to 5 to remove the illegal encroachment in Survey No.241 at Government School Madnapatti, Katchirayanpatti Post, Melur Taluk, Madurai District made by the respondents 6 to 12 by making cement sheet shed by considering the petitioner's representation dated 07.09.2023 and 03.10.2023.

For Petitioner : Mr.D.S.Haroon Rasheed

For Respondents 1 to 3 : Mr.P.Thilak Kumar

Government Pleader

O R D E R

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

This Writ Petition has been filed as a Public Interest
Litigation seeking for a direction to the respondents 1 to 5 to



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remove the illegal encroachment in Survey No.241 at Government School Madnapatti, Katchirayanpatti Post, Melur Taluk, Madurai District made by the respondents 6 to 12 by making cement sheet shed by considering the petitioner's representations dated 07.09.2023 and 03.10.2023.

2.Heard Mr.D.S.Haroon Rasheed, learned Counsel appearing for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 3.

3.According to the learned Counsel for the petitioner, the respondents 6 to 12 have encroached upon the Government land by putting up small sheds in the aforesaid school campus. Therefore, the petitioner has made a representations dated 07.09.2023 and 03.10.2023, to the respondents to take action for removal of the encroachments.

4.Learned Government Pleader for the respondents 1 to 3 would submit that the District Collector has sanctioned for construction of the compound wall for the said school and necessary action has been initiated and survey is scheduled to be held next week.



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5.Be that as it may, the private respondents 6 to 12 have encroached upon the aforesaid school property and put up the sheds but the said representations made by the petitioner is still pending without any orders passed.

6.Therefore, we direct the respondents to take necessary action for removal of the encroachments by following the procedures as contemplated under the Rules as early as possible within twelve [12] weeks from the date of receipt of a copy of this order. It is needless to say that only after providing opportunity to the parties, action shall be initiated for demarcation of the boundaries with the assistance of the Taluk Surveyor and for removal of the encroachments, if any.

7.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

[D.K.K.J.] & [R.V.J.]
15.03.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

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and

R.VIJAYAKUMAR, J.

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ORDER MADE IN

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