



W.P.(MD)No.22805 of 2024

WEB COPY **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 27.09.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)Nos.22805 and 11517 of 2024

W.P.(MD)No.22805 of 2024:

Amulraj

... Petitioner

vs.

1.The District Collector/Monitoring Committee,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Aranthangi,
Pudukkottai District.

3.The Tahsildar,
Avudaiyarkoil Tahsildar Office,
Avudaiyarkoil,
Pudukkottai District.

4.The President,
Nattumangalam Village Panchayat,
Pudukkottai District.

5.Kavitha
6.Madumitha

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the 1st to 4th respondents to remove the encroachments made in S.No.32/47, Public Pathway at Ettiyathali Village, Aranthangi Taluk, Pudukottai District based on the petitioner's representation dated 22.05.2024.

In W.P(MD)No.22805 of 2024:

For Petitioner : Mr.B.Micheal Sebastin

For R1 to R4 : Mr.S.P.Maharajan
Special Government Pleader

W.A(MD)No.11517 of 2024:

Kavitha

... Petitioner

vs.

1.The Revenue Divisional Officer,(Monitoring Committee)
Revenue Divisional Office,
Aranthangi,
Pudukkottai District.

2.The Tahsildar,
Aranthangi Taluk,
Pudukottai District.

3.The President,
Nattumangalam Village Panchayat,
Pudukottai District.

4.Sundarapandian

5.Theivanai

6.Kaleeswaran

7.Amulraj

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the 1st to 3rd respondents to remove the



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encroachment made by the 4th and 6th respondents in the public road in S.No. 32/47, situated at Ettiyathali Village, Aranthangi Taluk, Pudukottai District by considering the petitioner's representation dated 21.05.2024.

In W.P.(MD)No.11517 of 2024:

For Petitioner : Mr.T.Lenin Kumar

For R1 & R3 : Mr.S.P.Maharajan
Special Government Pleader

For R4 to R7 : Mr.V.Vijayendran

COMMON ORDER

(Order of the Court was made by **R.SUBRAMANIAN, J.**)

In both the Writ Petitions, the complaint of the petitioners is that encroachment over the land in Sy.No.32/47 situated in Ettiyathali Village Aranthangi Taluk, Pudukottai District, has not been removed despite repeated representations.

2. While the petitioner in W.P(MD)No.11517 of 2024 is shown as the 5th respondent in W.P(MD)No.22805 of 2024, the petitioner in W.P(MD)No.22805 of 2024 is shown as the 7th respondent in W.P(MD)No.11517 of 2024.



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3. Since it is not in dispute that Sy.No.32/47 is a public road, the authorities are bound to maintain it free of encroachments. It is also seen from the records that notices under Section 7 of the Land Encroachment Act have already been issued. The Tahsildar, Aranthangi, will proceed with the process of eviction strictly in accordance with the provisions of Tamil Nadu Land Encroachment Act, 1905, and complete the same within a period of twelve weeks from the date of receipt of a copy of this order. If the encroachments are not removed within twelve weeks, the petitioners are entitled to seek re-opening of the writ petitions.

4. With the above direction, these writ petitions are disposed of. No costs.

(R.S.M., J.) (L.V.G., J.)
27.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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- To
- 1.The District Collector/Monitoring Committee,
Pudukkottai,
Pudukkottai District.
 - 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Aranthangi,
Pudukkottai District.
 - 3.The Tahsildar,
Avudaiyarkoil Tahsildar Office,
Avudaiyarkoil,
Pudukkottai District.
 - 4.The President,
Nattumangalam Village Panchayat,
Pudukkottai District.
 - 5.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

R.SUBRAMANIAN, J.
and



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W.P.(MD)No.22805 of 2024

L.VICTORIA GOWRI, J.

CM

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