



W.P.(MD) No.22808 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD) No.22808 of 2024

N.Ramesh

... Petitioner

-VS-

- 1.The District Collector/Monitoring Committee,
O/o. District Collectorate,
Tenkasi District.
- 2.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Tenkasi District.
- 3.The Tahsildar,
Tiruvengadam Taluk,
Tenkasi District.
- 4.The Block Development Officer,
Kuruvikulam Panchayat Union,
Tiruvengadam Taluk,
Tenkasi.
- 5.The Village Administrative Officer,
Nallanthulla Village & Panchayath,
Kuruvikulam Panchayath Union,
Tiruvengadam Taluk,
Tenkasi District.
- 6.The President,
Nallathulla Village & Panchayath,
Kuruvikulam Panchayath Union,



W.P.(MD) No.22808 of 2024

Tiruvengadam Taluk,
Tenkasi District.

7.Maarisamy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to take appropriate action against the 7th respondent and remove the encroachment in common pathway bearing S.No.1009/10, Nallanthulla Village, Tiruvengadam Taluk, Tenkasi District.

For Petitioners : Mr.Ramasamy
For Respondents 1 to 4 : Mr.S.P.Maharajan
Special Government Pleader

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.S.P.Maharajan, learned Special Government Pleader takes notice for the respondents 1 to 4.

2.The prayer in the Writ Petition reads as follows:-

“To issue a Writ of Mandamus, directing the respondents 1 to 5 to take appropriate action against the 7th respondent and remove the encroachment in common pathway bearing S.No.1009/10, Nallanthulla Village, Tiruvengadam Taluk, Tenkasi District.”

3.The Tahsildar, Tiruvengadam Taluk, has along with the communication dated 08.10.2023, addressed to the learned Government Pleader, placed documents relating to proceedings taken to identify the encroachments and removed them. He also stated that notices have been



W.P.(MD) No.22808 of 2024

issued to the encroachers under Section 7 of the Land Encroachment Act, 1905, on 03.10.2024.

4.In view of the above, we do not see any need to issue a Mandamus as prayed for. We however, make it clear that the respondents while proceed with the process of removal of encroachments strictly in accordance with law and complete the same within a period of 12 weeks from the date of receipt of copy of this order.

5.Hence, the Writ Petition is disposed of. No Costs.

[R.S.M., J.]

[L.V.G., J.]

04.10.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
Mrn



WEB COPY



W.P.(MD) No.22808 of 2024

To

- 1.The District Collector/Monitoring Committee,
O/o. District Collectorate,
Tenkasi District.
- 2.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Tenkasi District.
- 3.The Tahsildar,
Tiruvengadam Taluk,
Tenkasi District.
- 4.The Block Development Officer,
Kuruvikulam Panchayat Union,
Tiruvengadam Taluk,
Tenkasi.
- 5.The Village Administrative Officer,
Nallanthulla Village & Panchayath,
Kuruvikulam Panchayath Union,
Tiruvengadam Taluk,
Tenkasi District.



WEB COPY



W.P.(MD) No.22808 of 2024

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Mrn

W.P.(MD) No.22808 of 2024

04.10.2024