



W.P(MD)No.23727 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.23727 of 2024
and
WMP(MD)No.20092 of 2024**

Murugan

... Petitioner

vs.

1. The District Collector,
Collectorate Campus,
Thoothukudi,
Thoothukudi District.

2. The Revenue Divisional Officer / Monitoring Committee,
Revenue Divisional Office,
Thiruchendur,
Thoothukudi District.

3. The Tahsildar
Taluk Office,
Eral, Eral Taluk,
Thoothukudi District.

4. The Executive Officer / Commissioner,
Thenthiruperai Municipality,
Thiruchendhur Taluk,
Thoothukudi District.

5. Amirthavalli

... 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 to 4 to follow the due process of law with regard to the alleged encroachment made in Old Survey No. 988/1PT – New Survey No. 1153/16 with an extent of 4967-62 sq.ft. situated at petitioner's Village of Keelakallamparai, Thenthiruperai Village, Eral Taluk, Thoothukudi District.

For Petitioner : Mr.R.Murugappan

For R1 to R4 : Mr.P.T.Thiraviam
Government Advocate

ORDER

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

The apprehension of the petitioner is that in the guise of complying with our order dated 20.08.2024, the respondents are attempting to evict him from the land, which according to him, belongs to him.

2. Mr.P.T.Thiraviam, learned Government Advocate would submit that when the authorities attempted to survey the land pursuant to the directions of this Court in W.P.(MD)No.19880 of 2024, dated 20.08.2024, the petitioner has prevented them from surveying and has approached this Court.



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3. The apprehension of the petitioner seems to be unjustified in view of the fact that we have clearly stated in Paragraph 3 of the order dated 20.08.2024, made in W.P.(MD)No.19880 of 2024, that the authorities will follow due process of law and initiate eviction proceedings, if it is found that the petitioner has encroached. Hence, we do not see any reason to entertain this Writ Petition at this stage. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M, J.) (L.V.G, J.)
04.10.2024

Index : No
Neutral Citation : No
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4. The Executive Officer / Commissioner,
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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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ORDER MADE IN
W.P(MD)No.23727 of 2024
DATED : 04.10.2024