



W.P.(MD)No.23322 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

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

**W.P.(MD)No.23322 of 2024
and
W.M.P.(MD)No.19750 of 2024**

C.Chelladurai

... Petitioner

-VS-

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.
- 3.The Revenue Divisional Officer /
Monitoring Committee,
Ramanathapuram District,
Ramanathapuram.
- 4.The Tahsildar,
Ramanathapuram District,
Ramanathapuram.



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5.The Special Tahsildar,
Adi Dravidar Welfare Department,
Ramanathapuram.

6.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

7.Rasu, S/o.Kokaru

8.Palani @ Palanisamy, S/o.Karuthalu @ Karuppaiyah

9. Karuppaiyah, S/o.Karuppan

10.Karthikairaj, S/o.Kalanjiyam

11.Malairaju, S/o.Ammasai @ Kalimuthan

12.Suresh, S/o.Muthupal

13.Kalidoss, S/o.Karuppasamy

14.Krishnamoorthi, S/o.Govindhan

15.Karuppaiyah, S/o.Meenakshi

16.Palusamy, S/o.Kalanjiyam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the respondents 7 to 16 in the property situated in Survey No.180/1A1B, situated at Valantharavai Group, Therkuvaani Street (West), Ramanathapuram Taluk,s Ramanathapuram District.

For Petitioner : Mr.S.A.Ajmal Khan

For R1 to R5 : Mr.S.P.Maharajan
Special Government Pleader

For R6 : Mr.B.Thanga Aravindh
Government Advocate (Criminal side)



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ORDER

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

Prayer in the Writ Petition reads as follows:-

"To issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the respondents 7 to 16 in the property situated in Survey No.180/1A1B, situated at Valantharavai Group, Therkuvaani Street (West), Ramanathapuram Taluk, Ramanathapuram District."

2. Admittedly, the land upon which the construction is put up, has been classified as a common area. The construction of any structure thereon, except for a community hall and library, is prohibited.

3. It is seen from the proceedings of the Special Tahsildar (ADW), Ramanathapuram, dated 19.09.2024, the fact that the construction is being put up in an area classified as common area is admitted. Hence, there will be a direction to the Special Tahsildar (ADW), Ramanathapuram, to take appropriate action to remove the offending construction forthwith by issuing notices for removal of offending construction. The entire process shall be completed by 12 weeks from



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the date of receipt of a copy of this order. If the offending construction is not removed within a period of 12 weeks, the petitioner will be at liberty to seek re-opening of the Writ Petition.

4. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : No
Index : No
smn2

[R.S.M., J.] [L.V.G., J.]
30.09.2024

To:-

1. The District Collector,
Ramanathapuram District,
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