



W.P.(MD)No.23641 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2024

CORAM:

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

W.P.(MD)No.23641 of 2024

D.Chellappa

... Petitioner

-VS-

- 1.The Principal Secretary,
Commissioner of Land Administration,
Chepauk,
Chennai 600 005
- 2.The District Collector / Monitoring Committee,
Tirunelveli District,
Tirunelveli.
- 3.The Sub Collector,
Cheranmahadevi Division,
Tirunelveli District.
- 4.The Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli District.
- 5.The President,
Kuniyoor Panchayat,
Cheranmahadevi Taluk, Tirunelveli District.



W.P.(MD)No.23641 of 2024

6.N.Maharajan

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second respondent to give appropriate directions to respondents 3 and 4 to remove the encroachment made by the sixth respondent in the Government Manthai Poromboke running in Survey No.175/3, in Kuniyoor Village, Cheranmahadevi Taluk, Tirunelveli District, based on the representation dated 25.11.2023.

For Petitioner : Mr.R.J.Karthick

For R1 to R5 : Mr.S.R.A.Ramachandran
Additional Government Pleader

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 second respondent to give appropriate directions to respondents 3 and 4 to remove the encroachment made by the sixth respondent in the Government Manthai Poromboke running in Survey No.175/3, in Kuniyoor Village, Cheranmahadevi Taluk, Tirunelveli District, based on the representation dated 25.11.2023."



W.P.(MD)No.23641 of 2024

WEB COPY

2. Mr.S.R.A.Ramachandran, learned Additional Government Pleader, appearing for the respondents 1 to 5 would submit that proceedings for eviction has already been initiated and the authorities will be issuing notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (Act III of 1905) [hereinafter referred to as "the Act"] very shortly.

3. In view of the same, we do not see any reason to issue a Mandamus as prayed for. The Writ Petition is disposed of with the direction to the respondents 3 and 4 to take appropriate action under the Act and pursue it to its logical conclusion. Action shall be initiated within a period of eight weeks from the date of receipt of a copy of this order. No costs.

NCC : No
Index : No
smn2

[R.S.M., J.] [L.V.G., J.]
03.10.2024

To

1.The Principal Secretary,
Commissioner of Land Administration,
Chepauk,
Chennai 600 005



W.P.(MD)No.23641 of 2024

WEB COPY

- 2.The District Collector / Monitoring Committee,
Tirunelveli District,
Tirunelveli.
- 3.The Sub Collector,
Cheranmahadevi Division,
Tirunelveli District.
- 4.The Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli District.
- 5.The President,
Kuniyoor Panchayat,
Cheranmahadevi Taluk, Tirunelveli District.



WEB COPY



W.P.(MD)No.23641 of 2024

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

smn2

W.P.(MD)No.23641 of 2024

03.10.2024