



WP(MD). No.23901 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 14/10/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

**WP(MD). No.23901 of 2024
and WMP(MD) No.20247 of 2024**

A.Jasmine

... Petitioner

Vs

1. The District Collector,
O/o.The District Collectorate,
Ramanathapuram District.

2. The District Revenue Officer,
Ramanathapuram District, Ramanathapuram.

3. The Revenue Divisional Officer,
O/o.Revenue Divisional Office, Ramanathapuram.

4. The Block Development Officer,
Panchayat Union Office,
Uthicpuli, Ramanathapuram District.

5. The Tahsildar,
Rameswaram Taluk,
Ramanathapuram District.

6. The President,
Thangatchimadam Town Panchayat,
Thangatchimadam, Rameswaram Taluk,
Ramanathapuram District.

... Respondents



WP(MD). No.23901 of 2024

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to removing the fencing made around the water tank situated at S.No.150/1, Peykarumbu Village, Pamban Group, Rameswaram Taluk, Ramanathapuram District and to remove the unused bus shelter constructed by the 6th respondent panchayat in S.No.150/3A, Peykarumbu Village, Pamban Group, Rameswaram Taluk, Ramanathapuram District and consequentially forbearing the respondents from in any way encroaching the cart track comprised in S.No.150/1, Peykarumbu Village, Pamban Group, Rameswaram Taluk, Ramanathapuram District within the time that may be stipulated by this Court.

For Petitioner : Mr.M.Ajmal Khan for
M/s. Ajmal Associates
For Respondent : Mr.D.Gandhiraj for R1
Special Government Pleader
Mr.G.Surya Ananth for R3&R4

ORDER

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. The writ petition has been filed for a mandamus directing the respondents to remove the fencing around the water tank situated at S.No.150/1, Peykarumbu Village, Pamban Group, Rameswaram Taluk,



WP(MD). No.23901 of 2024

Ramanathapuram District and to remove the unused bus shelter constructed by the 6th respondent panchayat in S.No.150/3A, Peykarumbu Village, Pamban Group, Rameswaram Taluk, Ramanathapuram District and consequentially forbearing the respondents from in any way encroaching the cart track comprised in S.No.150/1, Peykarumbu Village, Pamban Group, Rameswaram Taluk, Ramanathapuram District.

3. When the matter was taken up for hearing, the learned Special Government Pleader, on instructions, would submit that the water tank alone is fenced. The learned counsel for the petitioner would submit that if the water tank alone is fenced, the petitioner has no objection.

4. Though a larger relief has been sought for by the petitioner, it is stated that it is suffice if a direction is given to the first respondent to consider the representation of the petitioner, after giving personal hearing.



WP(MD). No.23901 of 2024

5. At any rate, the learned Special Government Pleader would submit that the representation of the petitioner would be considered and orders would be passed on its own merits.

6. In view of the above submission made, the first respondent is directed to consider the representation of the petitioner dated 30.09.2024 and pass orders after hearing the petitioner as well as the 6th respondent. Such order shall be passed within a period of eight weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

14.10.2024

RR



WP(MD). No.23901 of 2024

TO

1. The District Collector,
O/o.The District Collectorate,
Ramanathapuram District.
2. The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.
3. The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Ramanathapuram.
4. The Block Development Officer,
Panchayat Union Office,
Uthicpuli,
Ramanathapuram District.
5. The Tahsildar,
Rameswaram Taluk,
Ramanathapuram District.



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WP(MD). No.23901 of 2024

N.SATHISH KUMAR,J

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**ORDER
IN
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