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W.P.No.6758 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.No.6758 of 2025

A.Veeramani

.. Petitioner

Vs

1. The State of Tamil Nadu
Rep. By its Secretary to Government
Public Works / Water Resources Department
Fort St. George, Chennai – 600 009.
2. The District Collector
Thiruvarur & District.
3. The District Revenue Officer
Thiruvarur, Thiruvarur District.
4. The Tahsildar
Thiruvarur Taluk, Thiruvarur District.
5. The Block Development Officer
Block Development Office
Koradacheri Panchayat Union
Thiruvarur District.
6. The Village Administration Officer
Kattur Panchayat, Koradacheri Panchayat Union
Thiruvarur District.
7. The Village Administration Officer
Agrathiranallur Panchayat, Koradacheri Panchayat Union
Thiruvarur District.



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8. The President
Kattur Panchayat
Koradacheri Panchayat Union
Thiruvarur District.

9. The President
Agrathirunallur Panchayat
Koradacheri Panchayat Union
Thiruvarur District.

10. K. Vijaya Prabu

11. S. Subramanian

12. S. Anbazhagan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, seeking a writ of mandamus, directing the respondents 1 to 9 herein to take appropriate action to remove the encroachments made by the respondents 10 to 12 on the public footpath/pathway, leading to the Magulam Lake, situate in S.No.98/4A in Kattur and No.92/21, in Agrathirunallur Village, Thiruvarur District and thereby restore the said pathway, by considering the representation submitted by the petitioner on 13.08.2024, 21.10.2024 and reminder representation dated 29.01.2025 within a time frame fixed by this Court.

For the Petitioner : Mr.S.N.Ravichandran

For the Respondents : Mr.T.K.Saravanan
Additional Government Pleader
for R1 to R4, R6 and R7

Mr.S.Balamurugan
Government Advocate
for R5 and R8

Mr.M.S.Arasakannan
Government Advocate
for R9



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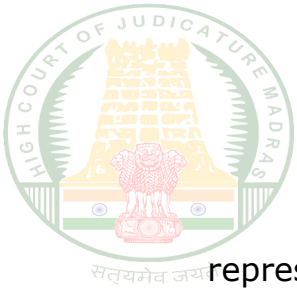
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ORDER

(Order of the Court was authored by R.SURESH KUMAR, J.)

The prayer sought in the present writ petition is for a writ of mandamus, to direct respondents 1 to 9 herein to take appropriate action to remove the encroachments made by respondents 10 to 12 on the public footpath/pathway, leading to the Magulam Lake, situate in S.No.98/4A in Kattur and No.92/21, in Agrathirunallur Village, Thiruvarur District and thereby, restore the said pathway by considering the representations made by the petitioner on 13.08.2024, 21.10.2024 and the reminder representation dated 29.01.2025 within a time frame.

2. It is the contention of the petitioner, as projected by *Mr.S.N.Ravichandran*, learned counsel appearing for the petitioner, that the public pathway, leading to the Magulam Lake, situated in S.No.98/4A in Kattur and No.92/21 in Agrathirunallur Village, Thiruvarur district, is encroached upon by the private respondents herein and in order to remove such encroachments, though multiple representations, dated 13.08.2024, 21.10.2024 and 29.01.2025, have been made by the petitioner, so far, no action has been taken. Therefore, in order to take action, by considering the



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representations made by the petitioner, after surveying the subject lands, the petitioner has approached this Court by filing the present writ petition seeking a writ of mandamus.

3. The respective learned Government counsel, who accept notice on behalf of the official respondents, would submit that insofar as the representations made by the petitioner are concerned, the same would be taken care of and after giving opportunities to both the petitioner as well as the private respondents, who are the alleged encroachers, suitable action under law would be taken within a time frame that may be fixed by this Court.

4. In view of the order that is going to be passed in the present writ petition, notice to the private respondents, that is respondents 10 to 12, is hereby dispensed with.

5. In view of the facts and circumstances of the case, this Court is inclined to dispose of the present writ petition in the following terms:-



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There shall be a direction to the official respondents, especially to the fourth respondent/Tahsildar, Thiruvarur Taluk, Thiruvarur District, to consider the representations made by the petitioner dated 13.08.2024 and 21.10.2024 and decide the same as to whether any action is required to survey the lands to remove the encroachments alleged to have been made by the private respondents and before taking any final decision, notice shall be given to the private respondents and having given an opportunity of being heard to the private respondents, such a needful action, as indicated above, shall be undertaken by the official respondents, especially the fourth respondent, within a period of two months from the date of receipt of a copy of this order.

6. With these directions, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, W.M.P.No.7422 of 2025 is closed.

(R.S.K., J.) (A.D.M.C., J)
27.02.2025

Neutral Citation:Yes/No

drm



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To:

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The State of Tamil Nadu
Public Works / Water Resources Department
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R. SURESH KUMAR, J.
AND
A.D.MARIA CLETE, J.
(drm)

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