



*W.P.(MD)No.5749 of 2024*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

DATED: 04.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**  
and  
**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

W.P(MD)No.5749 of 2024

S.Steephen Vargheese

... Petitioner

Vs.

- 1.The District Collector,  
Collectorate, Nagercoil,  
Kanyakumari District-629 001.
- 2.The Revenue Divisional Officer /  
Monitoring Committee,  
Kanyakumari District-629 001.
- 3.The Assistant Executive Engineer,  
Water Resource Department,  
Pazhaiyaru Water Resource Division (PWD),  
Nagercoil,  
Kanyakumari District-629 001.
- 4.The Superintendent of Police,  
Office of the Superintendent of Police,  
Nagercoil,  
Kanyakumari District-629 001.
- 5.The Inspector of Police,  
Poothapandi Police Station,  
Kanyakumari District-629 901.
- 6.Prabhakar

... Respondents



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**Prayer:** Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents No.1 to 5 to remove the encroachment made by the respondent No.6, in Survey No.122, 123 and 124 in the Public road at Erachikulam near Amirtha Engineering College and the Pitchathi Canal in Navalkadu Village in Erachikulam Panchayat to take necessary action against the respondent No.6, by considering the petitioner's representation dated 08.12.2023 within the time stipulated by this Court.

For Petitioner :Mr.S.Louis

For Respondents :Mr.K.Balasubramani  
Special Government Pleader  
for R1 to R3

: Mr.K.Gnana Sekaran  
Government Advocate (Crl.side)  
for R4 & R5

: Mr.H.Arumugam  
for R6

### **ORDER**

Heard both sides.

2. The petitioner felt aggrieved by the fencing put up by the sixth respondent. Hence, this writ petition came to be filed.



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3. When the matter was taken up for hearing, the learned counsel appearing for the sixth respondent submitted that the fence has since been taken down. The learned Special Government Pleader also states that this was done in the presence of the writ petitioner and the writ petitioner has also affixed signature to the minutes drawn on the occasion.

4. Recording this development, the writ petition is disposed of. No costs.

**[G.R.S., J.]      [B.P., J.]**  
**04.03.2025**

NCC : Yes / No  
Internet : Yes / No  
Index : Yes / No  
rmi

To

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**G.R.SWAMINATHAN, J**

and

**B.PUGALENDHI, J.**

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4.The Superintendent of Police,  
Office of the Superintendent of Police,  
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5.The Inspector of Police,  
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