



WP(MD). No.2065 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 21/02/2025

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

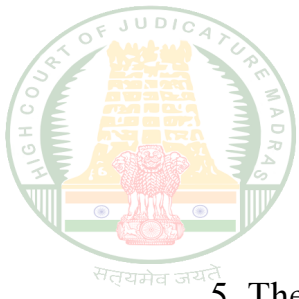
WP(MD). No.3535 of 2025

Mariappan

... Petitioner

Vs

1. The District Collector,
Thoothukudi,
Thoothukudi District..
2. The Revenue Divisional Officer,
Collectorate Campus,
Thoothukudi,
Thoothukudi District..
3. The Tahsildar,
Taluk Office,
Srivaikundam,
Thoothukudi District..
4. The Block Development Officer,
Srivaikundam Panchayat Union,
Srivaikundam,
Thoothukudi District..



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5. The Panchayat President,
Aathichanallur Village Panchayat,
Srivaikundam Taluk,
Thoothukudi District..

6. Kasipandi,
S/o.Sudalaikannu,
North Street,
Aathichanallur Village,
Srivaikundam Taluk,
Thoothukudi District..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents 1 to 5 to take action and remove the encroachment and unauthorized construction made by the 6th respondent in the Government Kalam Poramboke land in Survey No.315 of Aathichanallur Village, Srivaikundam Taluk, Thoothukudi District and restore the same to its original position as Kalam.

For Petitioner : Mr.R.Ponkarthkieyan

For Respondents : Mr.J.Ashok for R1 to R3
Addl.Government Pleader
Mrs.D.Farjana Ghoushia for R4&R5
Special Governing Pleader
Mr.S.Sivasubramanian for R6



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ORDER

(Order of the Court was made by J.NISHA BANU, J.)

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

2. This writ petition has been filed for a direction to the respondents 1 to 5 to take action and remove the encroachment and unauthorized construction made by the 6th respondent in the Government Kalam Poramboke land in Survey No.315 of Aathichanallur Village, Srivaikundam Taluk, Thoothukudi District and restore the same to its original position as Kalam.

3. The learned counsel for the petitioner would submit that a representation has been given by the petitioner to the respondents on 26.12.2024 for taking action and for removing the encroachment made by the 6th respondent in the aforesaid survey number. Since the representation has not been considered so far, the petitioner prays for appropriate directions.



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4. Considering the submission made by the learned counsel for the petitioner and considering the limited scope of the matter, without going into the merits of the case or the claim made by the petitioner, the third respondent is directed to consider the representation of the petitioner dated 26.12.2024, by giving opportunity of hearing to the petitioner as well as the 6th respondent, and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of.

No costs.

[J.N.B.,J]

[S.S.Y.,J]

21.02.2025

NCC : Yes/No
Index : Yes/No
RR



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J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
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