



W.A.(MD)No.835 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.04.2025

CORAM:

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

W.A(MD)No.835 of 2023

C.Pounraj

... Appellant

Vs.

1.The District Collector,
Thanajvur District,
Thanajvur.

2.The Revenue Divisional Officer,
Thanjavur, Thanjavur District.

3.The Tahsildar,
Budalur Taluk,
Thanajvur District.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letter Patent against the order of this Court in W.P.(MD)No.1154 of 2025 dated 10.01.2025.

For Appellants
For R1 to R3

:Mr.G.Thalaimutharasu
:Mr.S.S.Madhavan
Additional Government Pleader



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JUDGMENT

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(Judgment of the Court was delivered by **S.SRIMATHY, J.**)

This Writ Appeal is filed by the petitioner in the writ petition challenging the order passed in W.P.(MD)No.1154 of 2025 dated 10.01.2025.

2.The contention of the writ petitioner is that earlier the writ petitioner filed a writ petition in W.P.(MD)No.19137 of 2018 seeking to remove the encroachment made in the subject property. This Court by an order dated 04.09.2018 directed the authorities concerned to conduct enquiry and take appropriate action after giving reasonable opportunity to the parties concerned. Thereafter, the authorities concerned conducted enquiry and passed an order dated 25.10.2018. However, no action was taken thereafter. Hence, the petitioner again filed a writ petition seeking to implement the order passed by the Tahasildar. However, this Court by an order dated 10.01.2025 had directed the Tahsildar to once again issue notice and conduct enquiry. Challenging the same, the present writ appeal is filed.



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3.Perusal of the prayer in the writ petition shows that the appellant only sought to implement the order of the Tahsildar dated 25.10.2018, which was passed after conducting an enquiry and after hearing all the parties concerned. Hence, the direction issued by the learned Single Judge to conduct an enquiry again would not be justifiable. Therefore, this Court directs the authorities concerned to implement the order passed by the Tahsildar within a period of twelve weeks from the date of receipt of a copy of this order.

4.With the above direction, this writ appeal is disposed of. No costs.

[J.N.B., J.] [S.S.Y., J.]
02.04.2025

Index : Yes / No

Internet : Yes/No

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