



WP(MD). No.4340 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 03/04/2025

CORAM

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

WP(MD). No.4340 of 2025
and WMP(MD) No.3113 of 2025

R.Chinnaraman

... Petitioner

Vs

1. The District Collector,
Dindigul District..

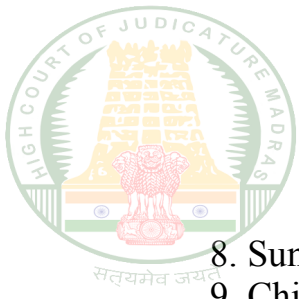
2. The Assistant Director,
(Village Panchayats), Dindigul District..

3. The Block Development Officer,
(Village Panchayats), Panchayat Union Office,
Nilakottai, Dindigul District..

4. The President,
Noothulapuram Village Panchayat,
Nilakottai Taluk, Dindigul District..

5. The Tahsildhar,
Nilakottai Taluk,
Dindigul District..

6. G.Chinnaraman
7. S.Periyaraman



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8. Sundaramurthi
9. Chinna Kaliyappan
10. Pandian

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 5 herein to remove the illegal encroachment made by the respondents 6 to 10 herein made in Survey Nos. 536 and 547. Seethapuram, Noothulapuram Village, Nilakottai Taluk, Dindigul District, in accordance with law.

For Petitioner : Mr.V.Pandiyan

For Respondents : Mr.P.Thilak Kumar for R1 to R5
Government Pleader
Mr.A.K.Gopalan for R6 to R10

ORDER

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

The writ petition has been filed directing the respondents 1 to 5 herein to remove the illegal encroachment made by the respondents 6 to 10 herein made in Survey Nos. 536 and 547. Seethapuram, Noothulapuram Village, Nilakottai Taluk, Dindigul District, in accordance with law.

2. It is the case of the petitioner that the encroachment has been made in the public pathway in survey numbers 536 and 547 by the



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respondents 6 to 10. It is his grievance that the respondents 6 to 10 have encroached upon the pathway, which is the only way to reach the temples and even the said pathway is used to reach the burial ground. Owing to the said encroachments, they are restraining the public from using the said common pathway. Therefore, in order to remove the same, the petitioner has sent a representation to the respondents on 03.07.2024.

3. Pursuant to the said representation, the 4th respondent has also sent a letter to the Government on 11.07.2024 requesting to conduct survey. Subsequently, notice under Section 131(2) of the Tamil Nadu Panchayat Act, 1994 was issued by the 4th respondent to the respondents 6 to 10 to remove the encroachment, failing which, it is stated that provisions under the Land Encroachment Act will be invoked. Though the said notice was issued on 18.07.2024, encroachment has not been removed. Therefore, the 3rd respondent had requested the Tahsildar and the concerned Inspector to provide police protection to remove the alleged encroachment on 12.08.2024. Thereafter, vide proceedings dated 16.08.2024, the Tahsildar/5th respondent had sought assistance from the 4th respondent to remove the said encroachment. However, so far the



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said encroachments have not been removed. Therefore, the petitioner is before this Court with this writ petition.

4. We have heard the learned counsel for the petitioner, the learned Government Pleader for the respondents 1 to 5 and the learned counsel for the respondents 6 to 10.

5. Considering the facts and circumstances of the case and without going into the merits of the matter, the 5th respondent is directed to conclude the proceedings dated 16.08.2024, within a period of twelve weeks from the date of receipt of a copy of this order, by giving due opportunity to the petitioner as well as the private respondents and other interested persons, if any.

6. With the above direction, the writ petition is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

03.04.2025

NCC : Yes/No

Index : Yes/No

RR

4/6



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Panchayat Union Office,
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4. The Tahsildhar,
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Dindigul District..



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ORDER
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