



W.P(MD)No.5166 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2025

CORAM:

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

W.P(MD)No.5166 of 2025

1.A.Akbar Sheriff
2.A.Razia Begam
3.Sikkandar
4.A.Ibrahimkareem
5.S.Murshidha Parveen

... Petitioners

vs.

1.The District Collector,
O/o.The District Collector Office,
Theni District.

2.The Sub Collector,
Periyakulam,
Theni District.

3.The Commissioner (Municipal Administration),
Periyakulam,
Theni District.

4.The Tahsildar,
Periyakulam Taluk,
Theni District.



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5. The Town Surveyor,
Periyakulam Taluk,
Theni District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment made in Survey Nos.3522/1 at Tenkarai Village, Periyakulam Village, Theni classified as public pathway in the name of Vagampuli Outer street and restore the said pathway for the effective usage of Villagers to freely access the main road by considering the petitioners' representation dated 22.01.2025 within the period stipulated by this Court.

For Petitioners : Mr.K.Althaf Sheriff

For RR 1, 2, 4 & 5 : Mr.M.Sarangan
Additional Government Pleader

For R – 3 : Mr.N.Dilip Kumar
Standing Counsel

ORDER

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

The petitioners have filed the present Writ Petition to direct the respondents to remove the encroachment made in Survey Nos.3522/1 at Tenkarai Village, Periyakulam Village, Theni, which is classified as public pathway in the



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name of Vagampuli Outer street and restore the said pathway for the effective usage of Villagers to freely access the main road by considering the petitioners' representation dated 22.01.2025 within the period stipulated by this Court.

2.Today, when the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents 1, 2, 4 and 5 would submit that as per G.O.(Ms).No.97, Revenue and Disaster Management [LD-1(1) Department, dated 21.02.2025, the Government decided to consider the case of the persons who had been in occupation of the premises for more than 60 years and therefore, a call will be taken on that.

3.Considering the facts and circumstances of the case, as per G.O.(Ms).No.97, Revenue and Disaster Management [LD-1(1) Department, dated 21.02.2025, if the District Level Committee finds that the petitioners are residing in the premises for more than 60 years, they shall take appropriate action to allot the land to them. Such an exercise shall be completed within a period of **one year** from the date of receipt of a copy of this order:



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4.With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

[J.N.B.,J.] & [S.S.Y.,J.]
26.03.2025
(1/2)

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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To

- 1.The District Collector,
O/o.The District Collector Office,
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- 2.The Sub Collector,
Periyakulam,
Theni District.
- 3.The Commissioner (Municipal Administration),
Periyakulam,
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Periyakulam Taluk,
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J.NISHA BANU, J.
and
S.SRIMATHY, J.

ps

ORDER MADE IN
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DATED : 26.03.2025
(1/2)