



W.P.(MD) No.5353 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.02.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.5353 of 2025

S.A.Stephen Pattamgattiar

... Petitioner

-Vs-

1.The District Collector,
Collectorate Complex,
Thoothukudi District, Thoothukudi.

2.The Revenue Divisional Officer,
Tiruchendur, Thoothukudi District.

3.The Tahsildar,
Tiruchendur, Thoothukudi District.

4.The Commissioner,
Kayalpattinam Municipality,
Thoothukudi District.

5.Pradeep (Pastor)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made in Survey No.315 to an extent of 1 acre 20 cents, which is situated at



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Kadayakudi, Kayalpattinam South Part, Tiruchendur Taluk, Thoothukudi District based on the petitioner's representation dated 30.09.2024 and consequently, to direct the respondents 1 to 4 to take appropriate action against the 5th respondent within the time limit that may be stipulated by this Court.

For Petitioner : Mr.A.D.Ganeshamoorthi
For R1 to R3 : Mr.P.Thilak Kumar,
Government Pleader
For R4 : Mr.V.Nirmal Kumar,
Standing Counsel

ORDER

[Order of the Court was made by *J.NISHA BANU, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.It is the grievance of the petitioner that his representation dated 30.09.2024, seeking removal of the encroachment made by the 5th respondent in Survey No.315 to an extent of 1 acre 20 cents situated at Kadayakudi, Kayalpattinam South Part, Tiruchendur Taluk, Thoothukudi District, is kept pending till date without any progress. Therefore, he has filed this Writ Petition, seeking for a direction to the respondents 1 to 4 to remove the encroachment made



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by the 5th respondent and take appropriate action against the 5th respondent within the time limit that may be stipulated by this Court.

3.Mr.P.Thilak Kumar, learned Government Pleader, who takes notice on behalf of the respondents 1 to 3, submits that the representation of the petitioner would be considered and appropriate orders would be passed on its own merits within a period that may be stipulated by this Court.

4.Notice to the 5th respondent is hereby dispensed with, since no adverse order is going to be passed as against him.

5.Considering the limited scope of the prayer sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner either in the representation or in the affidavit filed in support of this Writ Petition, we direct the official respondents to consider the representation of the petitioner dated 30.09.2024, after giving sufficient opportunity of hearing to all the parties concerned and pass appropriate orders on merits and in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition is disposed of. No costs.

[J.N.B., J.] & [S.S.Y., J.]
28.02.2025

NCC : Yes / No
Index : Yes / No

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To

1. The District Collector,
Collectorate Complex,
Thoothukudi District, Thoothukudi.
2. The Revenue Divisional Officer,
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3. The Tahsildar,
Tiruchendur, Thoothukudi District.



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