



WP(MD). No.5741 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 04/03/2025

CORAM

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

WP(MD). No.5741 of 2025

T.Sivanantham

... Petitioner

v.

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

2. The Block Development Officer,
Tiruchendur Union,
Thoothukudi District.

3. The Tahsildhar (Monitoring Committee),
Office of the Tahsildhar,
Tiruchendur Taluk,
Thoothukudi District.

4. Rani

5. Elangeshwaran

6. Esakiraja

7. Mohan

... Respondents



WP(MD). No.5741 of 2025

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents Nos.1 to 3 to remove the encroachments that are made in Survey No. 591/1B situated at Kayamozhi Village, Tiruchendur Taluk, Thoothukudi District.

For Petitioner : Mr.A.Robinson

For Respondents : Mr.M.Sarangan for R1 to R3
Additional Government plead

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. Since no adverse orders are going to be passed against the respondents 4 to 7, notice to the respondents 4 to 7 is dispensed with.

3. The writ petition has been filed for a mandamus to direct the respondents Nos.1 to 3 to remove the encroachments that are made in Survey No. 591/1B situated at Kayamozhi Village, Tiruchendur Taluk, Thoothukudi District.



WP(MD). No.5741 of 2025

4. The learned counsel for the petitioner would submit that a petition/representation has been given by the petitioner to the 1st respondent on 22.08.2024 for removing the encroachment made by the respondents 4 to 7. Pursuant to the said petition submitted, it was sent to the 2nd respondent for taking appropriate action. However, it is the grievance of the petitioner that the petition was forwarded to the 2nd respondent as early as on 18.09.2024 and since no action has not been taken so far, the petitioner is before this Court.

5. The learned Additional Government Pleader, on instructions, would submit that pursuant to the petition issued by the petitioner and the communication sent to the 2nd respondent, the 3rd respondent has issued a notice under Section 7 of the Tamil Nadu Land Encroachment Act, 1905 (hereinafter referred to as 'the Act') and that the proceedings would be completed within twelve weeks.

6. Considering the submission made by the learned counsel on either side, without advertng to the merits of the matter, the private respondents shall give reply to the notice under Section 7 of the Act and



WP(MD). No.5741 of 2025

thereafter, the respondents 2 and 3 are directed to complete the proceedings by giving an opportunity of personal hearing to the petitioner as well as the respondents and pass suitable orders within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

[J.N.B.,J]

[S.S.Y.,J]

04.03.2025

NCC : Yes/No

Index : Yes/No

Office to Note: Registry shall mark a copy of this order to the private respondents.

RR

To

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

2. The Block Development Officer,
Tiruchendur Union,
Thoothukudi District.

3. The Tahsildhar (Monitoring Committee),
Office of the Tahsildhar,
Tiruchendur Taluk, Thoothukudi District.

4/5



WEB COPY



WP(MD). No.5741 of 2025

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

RR

ORDER
IN
WP(MD) No.5741 of 2025

Date : 04/03/2025