



W.P.(MD) No.5944 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 05.03.2025

CORAM:

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

AND

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

W.P.(MD)No.5944 of 2025

C.Jayapaul

... Petitioner

-Vs-

1.The District Collector,
Theni District, Theni.

2.The Revenue Divisional Officer,
Periyakulam Taluk, Theni District.

3.The Tahsildar,
Periyakulam Taluk, Theni District.

4.The Block Development Officer,
Periyakulam Taluk, Theni District.

5.The Deputy Director of Town and Country Planning,
The Town and Country Planning Office,
Theni Division, Theni.

6.The Executive Officer,
Thenkarai Town Panchayat,
T.Kallipatty Village, Periyakulam Taluk,
Theni District.

7.Kumaran

... Respondents

Page 1 of 6



W.P.(MD) No.5944 of 2025

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 6 to remove the encroachment made by the 7th respondent in western side of the 40 feet south to north road namely, 'EE' connecting the JRR Nagar and Vaigai Dam Road (Andipatti Road) in layout by including lands comprised in Survey Nos.63/1, 63/2B, 63/3, 64/2 and 122 of Thenkarai Village, Periyakulam Taluk, namely, Periyakulam Taluk-Thenkarai Village (Ammayanayakanur Road and Cumbum Road By Pass Town Planning Office, Madurai bearing No.L.P./R(MR)No.18/87 and approved by the 6th respondent vide ROC.No.66/87, dated 28.07.1988 within stipulated time on the basis of the petitioner's representation dated 21.12.2024.

For Petitioner : Mr.R.Shankar Ganesh
For R1 to R6 : Mr.P.Thilak Kumar,
Government Pleader

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 21.12.2024, seeking removal of the encroachment made by the 7th respondent in western side of the 40 feet south to north road, namely, 'EE' connecting the JRR



W.P.(MD) No.5944 of 2025

Nagar and Vaigai Dam Road (Andipatti Road) in layout by including lands comprised in Survey Nos.63/1, 63/2B, 63/3, 64/2 and 122 of Thenkarai Village, Periyakulam Taluk, namely, Periyakulam Taluk-Thenkarai Village, is kept pending till date without any progress. Therefore, he has filed this Writ Petition with the aforesaid prayer.

3.Mr.P.Thilak Kumar, learned Government Pleader, who takes notice for the respondents 1 to 6, 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 7th respondent is dispensed with, since no adverse order is going to be passed as against the 7th respondent.

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 21.12.2024, after giving sufficient opportunity of hearing to the petitioner and the 7th respondent and pass appropriate orders on merits and in



W.P.(MD) No.5944 of 2025

accordance with law within a period of twelve [12] weeks from the date of receipt

of a copy of this order.

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

[J.N.B., J.] & [S.S.Y., J.]
05.03.2025

NCC : Yes / No

Index : Yes / No

Yuva

To

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Periyakulam Taluk, Theni District.
4. The Block Development Officer,
Periyakulam Taluk, Theni District.
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Thenkarai Town Panchayat,

Page 4 of 6



W.P.(MD) No.5944 of 2025

T.Kallipatty Village, Periyakulam Taluk,
Theni District.

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7.Kumaran,
S/o.Rakkan,
Pattalamman Kovil Street,
Thenkarai, Periyakulam Taluk,
Theni District.



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W.P.(MD) No.5944 of 2025

J.NISHA BANU, J.

AND

S.SRIMATHY, J.

Yuva

W.P.(MD)No.5944 of 2025

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