



W.P.(MD)No.6018 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.03.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

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K.Gunalan

...Petitioner

-Vs-

- 1.The District Collector,
District Collectorate,
Sivagangai District.
- 2.The District Revenue Officer,
District Collectorate,
Sivagangai District.
- 3.The Revenue Divisional Officer,
Sivaganga District.
- 4.The Tahsildar,
Sivaganga.
- 5.Soman
- 6.Perumal
- 7.Sokkalingam
- 8.Sinnan
- 9.Kalaiyarasi
- 10.Karuppaiya
- 11.Suppaiya
- 12.Mandaiyan
- 13.Sevugan
- 14.Karuppaiya

...Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the fourth respondent herein to implement the order in Na.Ka.E4/287/2024 dated 02.07.2024 passed by the first respondent herein to remove the illegal encroachment of government land and road in Survey No.137 of Keelakottai Village, Sivaganga District made by the respondents 5 to 14 herein.

For Petitioner : Mr.B.M.Subash
For R1 to R4 : Mr.P.Thilak Kumar
Government Pleader

ORDER

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

Heard Mr.B.M.Subash, learned counsel appearing for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader for the respondents 1 to 4. Considering the nature of the order proposed to be passed in this writ petition, notice to the respondents 5 to 14 is dispensed with.

2.By consent, this writ petition is taken up for final disposal at the stage of admission itself.

3.The contention of the petitioner is that there is a public road in Survey No.137, Keelakottai Village, which is classified as Sambanoor Kanmoi.



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The said road is the only access road to reach the crematorium allotted to the petitioner's village. The respondents 5 to 14 herein have encroached upon the said road and constructed their buildings. Seeking to remove the same, the petitioner has made representation before the first respondent, who in turn has passed an order directing the fourth respondent to conduct survey and take necessary action. Thereafter, no action has been taken. Therefore, the petitioner has again made representation to the respondents 1 to 4 in this regard. Since the same was not considered, the petitioner has filed this writ petition.

4.The learned counsel for the petitioner would further submit that though the petitioner has sought for a larger relief in this writ petition, he would be satisfied if a direction is issued to the official respondents to consider and dispose of the representation of the petitioner dated 09.08.2024, in accordance with law, within a time frame.

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 the Writ Petition, this Writ Petition is **disposed of** with a direction to the respondents 1 to 4 to consider the representation of the petitioner dated 09.08.2024 by giving



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an opportunity of hearing to the petitioner and the respondents 5 to 14 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. No costs.

(J.N.B.,J.) (S.S.Y.,J.)
06.03.2025

Index: Yes/No
Internet : Yes/No
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To

- 1.The District Collector,
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