



WP(MD). No.6243 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 03/04/2025

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

WP(MD). No.6243 of 2023

Ragunath .R

... Petitioner

Vs

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

2. The Revenue Divisional Officer,
Beach Road, Thoothukudi..

3. The Tahsildar,
Thoothukudi Taluk, Thoothukudi District..

4. The Block Development Officer,
Pudukottai Panchayat Union, Pudukottai,
Thoothukudi District..

5. The President,
Kumaragiri Panchayat, Primary Health
Centre Via, Pudukottai, Thoothukudi
District..

6. Poopillai,
S/o. P.Laxmana Pillai, Indra Nagar,
Pudukottai, Thoothukudi District..

... Respondents



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PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to take appropriate action for removal of encroachment made by individuals at public road at Survey No. 306/10A at Indra Nagar, Kumaragiri Panchayat, Thoothukudi District and dispose of the representation dated 16.02.2023 made by the petitioner within the time limit that may be stipulated by this Court.

For Petitioner : Mr.D.Selvanayagam

For Respondents : Mr.P.Thilak Kumar for R1 to R5
Government Pleader

ORDER

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

The writ petition has been filed directing the respondents 1 to 4 to take appropriate action for removal of encroachment made by individuals at public road at Survey No. 306/10A at Indra Nagar, Kumaragiri Panchayat, Thoothukudi District and dispose of the representation dated 16.02.2023 made by the petitioner within the time limit that may be stipulated by this Court.

2. It is the case of the petitioner that the 6th respondent and others have encroached the public road by putting up constructions, thereby



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causing disturbance to easy ingress and egress and the school children have also affected due to the said encroachments. It is his case that G.O.Ms.No.540 dated 04.12.2014 was issued for removal of encroachment. According to the said G.O., the official respondents are duty bound to make an inspection and decide as to whether the Government land is encroached or not and if encroached, take necessary action as per the Tamil Nadu Land Encroachment Act. Therefore, the petitioner made a representation to the first respondent on 16.02.2023 to take appropriate action pursuant to the said G.O. However, so far, no action has been taken. Therefore, the petitioner is before this Court with this writ petition.

3. We have heard the learned counsel for the petitioner and the learned Government Pleader for the respondents 1 to 5.

4. Considering the facts and circumstances of the case and without going into the merits of the matter, the 1st respondent is directed to consider the representation of the petitioner dated 16.02.2023, by giving due opportunity to the petitioner as well as the private respondents and



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other interested persons, if any, and pass suitable orders in the light of G.O.Ms.No.540 dated 04.12.2014 and also on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

[J.N.B.,J]

[S.S.Y.,J]

03.04.2025

NCC : Yes/No

Index : Yes/No

RR

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ORDER
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