



WP(MD). No.7611 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 20/03/2025

CORAM

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

WP(MD). No.7611 of 2025

Penasir Begam

... Petitioner

Vs

1. The Tahsildar,
Gantharvakkottai,
Pudukkottai District..

2. Prabhakaran,
S/o.Dharmaraj,
North Muslim Street,
Kallakottai,
Gantharvakottai,
Pudukkottai Disrict..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to remove the encroachment made by the 2nd respondent on the Natham Vacant land in Survey No.24 in Kallakottai, Gantharvakottai Pudukkottai District by Considering the petitioner's representation dated 01.07.2024, 27.12.2024 and 21.01.2025.



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WP(MD). No.7611 of 2025

For Petitioner : Mr.Robert Chandrakumar
For Respondents : Mr.P.Thilak Kumar for R1
Government Pleader

ORDER

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

The writ petition has been filed for a direction to the 1st respondent to remove the encroachment made by the 2nd respondent on the Natham Vacant land in Survey No.24 in Kallakottai, Gantharvakottai Pudukkottai District by considering the petitioner's representations dated 01.07.2024, 27.12.2024 and 21.01.2025.

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

3. Since no adverse orders are going to be passed against the 2nd respondent, notice to the 2nd respondent is dispensed with.

4. The petitioner has filed this writ petition styling it as a public interest litigation. It is the grievance of the petitioner that the 2nd respondent without any valid right had encroached upon the vacant land



WP(MD). No.7611 of 2025

in front of the petitioner's house and erected a barbed fence. Hence, in order to remove the said encroachment, the petitioner has sent a representations to the 1st respondent. Since those representations were not considered, the petitioner is before this Court with this writ petition.

5. 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 21.01.2025, after giving due opportunity to the petitioner as well as the 2nd respondent and pass suitable orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

[J.N.B.,J]

[S.S.Y.,J]

20.03.2025

NCC : Yes/No

Index : Yes/No

RR

To

1. The Tahsildar,
Gantharvakkottai,
Pudukkottai District..

3/4



WEB COPY



WP(MD). No.7611 of 2025

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RR

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