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W.P.(MD)NO.8158 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.8158 of 2020 AND

W.M.P.(MD)No.7566 of 2020

M.Mathavan

... Petitioner

Vs.

1. The District Collector,
O/o.the District Collector Office,
Sivagangai District,
Sivagangai.
2. The District Revenue Officer,
O/o.the District Collector Office,
Sivagangai,
Sivagangai District.
3. The Executive Engineer(PWD),
O/o.the Executive Engineer(PWD),
Sivagangai,
Sivagangai District.
4. The Revenue Divisional Officer,
O/o.the Revenue Divisional Office,
Devakottai Taluk,
Sivagangai District.
5. The Tahsildar,
Tahsildar Office,
Devakottai Taluk, Sivagangai District.



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6. The Block Development Officer,
O/o.the Block Development Officer,
Devakottai Taluk,
Sivagangai District.

7. The Chairman,
Devakottai Panchayat Union,
Devakottai, Sivagangai District. ... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to remove the encroachment in Vadakku Seyyanendhal Kanmai situated in survey No.37, Vadakku Seyyanenthall Village, Devakottai Taluk, Sivagangai District and restore the same to its original position as Kanmai within the period that may be stipulated by this Court.

For Petitioner : Mr.S.Mohammed Sohail,
for M/s.Ajmal Associates.

For R-1 to R-5 : Mr.N.Ramesh Arumugam,
Government Advocate.

For R-6 & R-7 : Mr.N.Shanmuga Selvan

* * *

ORDER

Heard both sides.



2. The petitioner is a resident of Vadakku Seyyanenthal Village.

Acting under the impression that the jurisdictional Block Development Officer had laid a road across the petition-mentioned water body, this writ petition has been filed.

3. The photographs produced before us clearly bear out the allegation of the petitioner. It is , however, clarified by the learned Government Advocate that the mud road was not formed by the Block Development Officer and that it was formed by one Kanagaraj, S/o.Nallasivam. The said private individual has also undertaken that he would remove the illegally formed road. If the said Kanagaraj does not do so, it is the duty of the fifth respondent to clear the illegally formed road. This shall be done within a period of four weeks from the date of receipt of a copy of this order. This writ petition stands allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
07th August 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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O/o.the Executive Engineer(PWD),
Sivagangai,
Sivagangai District.
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Devakottai Taluk, Sivagangai District.



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