

W.P.(MD)No.9060 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.9060 of 2024

Rahamathun Kamila

... Petitioner

-Vs-

- 1.The District Collector,
Monitoring Committee,
Trichy District,
Trichy.
- 2.The Revenue Divisional Officer,
Srirangam,
Trichy District.
- 3.The Tahsildar,
Srirangam Taluk,
Trichy District.
- 4.The Commissioner,
Anthanallur Panchayat Union,
Srirangam, Trichy District.
- 5.The Block Development Officer,
Srirangam Taluk, Trichy District.
- 6.Ponanjan (died)



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7.Vanitha

8.Vinoth

9.Sumitha

... Respondents

(R7 to R8 are impleaded vide Court order
dated 04.08.2025 in W.M.P(MD) No.14579 of 2025)

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 to remove the encroachment made by the 6th respondent in Panchayat pathway in S.F.No.106/5A and 106/5B situated in Ganapathi Nagar, Kambarasan Pettai, Vellanth Street, Kambarsampettai Village, Trichy District, by considering the petitioner's representation dated 24.02.2024 within the time stipulated by this Court.

For Petitioner : Mr.K.Kogulraj
for Mr.G.Mohankumar

For R1 to R5 : Mr.M.Sarangan
Additional Government Pleader

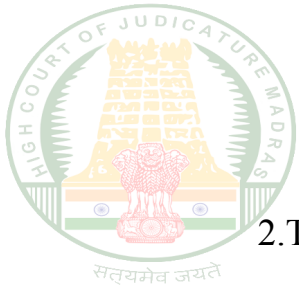
For R7 to R9 : Mr.S.Meenakshi Babu

ORDER

(Order of the Court was made by ***G.ARUL MURUGAN, J.***)

Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 to 5 and the learned counsel appearing for the respondents 7 to 9.

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2.The writ petition is filed for mandamus, directing the respondents 1 to 5 to remove the encroachment made by the sixth respondent in the pathway in Survey Field Nos.106/5A and 106/5B situated in Ganapathi Nagar, Kambarasan Pettai, Vellanth Street, Kambarsampettai Village, Trichy District, by considering the petitioner's representation dated 24.02.2024.

3.Pending the writ petition, the sixth respondent died and his legal heirs have been impleaded as respondents 7 to 9.

4.It is brought to the notice of this Court by the learned Additional Government Pleader appearing for the respondents 1 to 5 that the private respondents herein earlier filed a suit as against the Government in O.S.No.925 of 2015 on the file of the District Munsif cum Judicial Magistrate, Srirangam and they have obtained ex-parte decree. Pursuant to the application filed by the official respondents in I.A.No.1 of 2023, the ex-parte decree has been set aside. It is also submitted by the learned Additional Government Pleader that the suit is now pending for further disposal.

5.Pendency of the suit cannot be an impediment for the official respondents



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to take any action in respect of encroachment made in the Government property, in view of Section 14 of Tamil Nadu Land Encroachment Act, 1905. If there is any encroachment identified on the Government land, it is for the official respondents to initiate appropriate proceedings in consonance with the provisions of the Act and deal with the same in accordance the law.

6. With the above observations, this Writ Petition is disposed of with the direction to the official respondents to take appropriate steps in accordance with law by identifying the encroachment and complete the enforcement actions within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs.

(S.M.S., J.) & (G.A.M., J.)
25.08.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To

1. The District Collector,
Monitoring Committee,
Trichy District,
Trichy.

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2.The Revenue Divisional Officer,
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