



WP(MD). No.9158 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 24/04/2025

CORAM

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

WP(MD). No.9158 of 2025

Saravanan S

... Petitioner

Vs

1. The District Collector,
Virudhunagar District..

2. The Revenue Divisional Officer,
Sattur,
Virudhunagar District..

3. The Tahsildhar,
Vembakottai Taluk,
Virudhunagar District..

4. The Block Development Officer,
Vembakottai,
Virudhunagar District..

5. Bala Ganesan S.P.B.

6. Palraj S

7. Saravanakumar

... 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, to direct the respondents 1 to 4 to remove the encroachments made by the respondents 5 to 7 in the Cart track running across Survey No. 352 at Keelanmarai Nadu Village, Vembakottai Taluk, Virudhunagar district by considering the petitioners representation dated 11.03.2025 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Rajamohan

For Respondents : Mr.S.S.Madhavan

Additional Government Pleader for R1 to R3
Mr.S.Pon Saravanan for R5 to R7

ORDER

(Order of the Court was made by S.SRIMATHY, J.)

The writ petition has been filed for a mandamus to direct the respondents 1 to 4 to remove the encroachments made by the respondents 5 to 7 in the Cart track running across Survey No. 352 at Keelanmarai Nadu Village, Vembakottai Taluk, Virudhunagar district by considering the petitioner's representation dated 11.03.2025 within a stipulated time that may be fixed by this Court.



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2. Heard the learned counsel for the petitioner, learned Additional Government Pleader for the respondents 1 to 3 and the learned counsel for the respondents 5 to 7.

3. The case of the petitioner is that he has purchased the aforesaid lands for valid consideration and it is alleged that the respondents 5 to 7 have encroached the cart track, which is the pathway to reach the petitioner's property and other village people are also using the same to reach their fields and kanmoi. Since the 3rd respondent found that the said land is encroached, notice under the Tamil Nadu Land Encroachment Act was issued to the respondents 5 to 7. However, the said encroachment has not been removed. Therefore, the petitioner has preferred a representation to the respondents 1 to 4. However, no action has been taken so far and hence, the petitioner is before this Court.

4. When the matter is taken up for hearing today, the learned Additional Government Pleader for the respondents would submit that there are disputes between between the parties and a civil suit is also instituted and the same is pending before the Court below.



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5. In view of the above, since there are civil suits pending between the parties, the parties are at liberty to approach the civil Court and redress their grievance in the pending suit. Accordingly, the writ petition is dismissed. No costs.

[J.N.B.,J]

[S.S.Y.,J]

24.04.2025

NCC : Yes/No

Index : Yes/No

RR

To

1. The District Collector,
Virudhunagar District..

2. The Revenue Divisional Officer,
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Virudhunagar District..

3. The Tahsildhar,
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Virudhunagar District..

4. The Block Development Officer,
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ORDER
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