

W.P(MD)No.9751 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND**

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P(MD)No.9751 of 2025

and

W.M.P.(MD) No.7268 of 2025

A.Murugan

... Petitioner

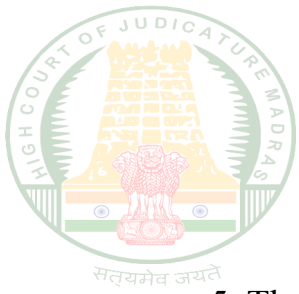
Vs

1. The District Collector,
Dindigul District,
Dindigul.

2. The Tahsildar,
Dindigul East Taluk,
Dindigul District.

3. The Block Development Officer,
Sanarpatti Panchayat Union,
Sanarpatti,
Dindigul East Taluk,
Dindigul District.

4. The Inspector of Police,
Sanarpatti Police Station,
Sanarpatti,
Dindigul East Taluk,
Dindigul District.



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5. The Firka Surveyor,
Sanarpatti Firka,
Dindigul East Taluk,
Dindigul District.

6. The Village Administrative Officer,
Koovanuthu Village,
Dindigul East Taluk,
Dindigul District.

7. Nallusamy

8. Balu

9. Azhagar

10. Thirumalsamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in Na.Ka.No. 210/2025/A5 dated 08.02.2025 on the file of the second respondent and quash the same and consequently direct the 2nd respondent to conduct the survey as per old FMB records of Survey Nos.495, 496, 501 and 508 of Koovanuthu Village, Dindigul East Taluk, Dindigul District to remove the encroachment made by the respondents 7 to 10.



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For Petitioner : Mr.Baskaran.V

For Respondents : Mr.J.Ashok (R1 to R3, R5 & R6)
Additional Government Pleader

Mr.T.Senthil Kumar (R4)
Additional Public Prosecutor

Mr.A.Mohamed Haneef (R9 & R10)

R7 & R8 (not ready in notice)

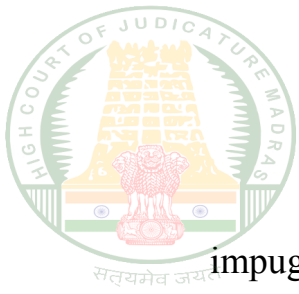
ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The proceedings, dated 08.02.2025 issued by the Tahsildar, Dindigul East is under challenge in the present Writ Petition.

2.The petitioner made a complaint for removal of encroachment in the subject property. The Tahsildar conducted an enquiry and passed an order in proceedings, dated 08.02.2025 with a finding that there is no encroachment as alleged by the petitioner in his complaint.

3.The learned Counsel for the petitioner would submit that the Tahsildar failed to verify the old FMB records and therefore, the order



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impugned is to be aside.

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4.This Court is of the considered opinion that if at all the petitioner is aggrieved, he should have preferred an appeal before the District Collector for effective adjudication of facts with reference to the documents available on record. The complaint given on grievance by the petitioner was dealt with by the Tahsildar and the order was passed that no encroachment has been identified. May that as it be, for further verification of records or adjudication, there is no impediment for the petitioner to approach the District Collector, who in turn shall verify the correctness of the order passed by the Tahsildar and take a decision. Contrarily, High court cannot conduct roving enquiry with reference to the contention that the FMB record is to be verified. However, the District Collector, Dindigul, can do the said exercise in the manner contemplated. For all these reasons, the petitioner is at liberty to approach the District Collector, Dindigul for redressal of his grievances in the manner known to law.



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5. With this liberty, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[S.M.S., J.] [A.D.M.C., J.]
03.06.2025

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

LR

To

1. The District Collector,
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2. The Tahsildar,
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Dindigul District.

3. The Block Development Officer,
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Dindigul East Taluk,
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S.M.SUBRAMANIAM, J.
and
DR.A.D.MARIA CLETE, J.

LR

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