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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**DATED: 08.04.2025****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****AND****THE HON'BLE MR.JUSTICE B.PUGALENDHI****W.P.(MD)No.9953 of 2025**

V.Chinnadurai

... Petitioner

Vs.

1. The Special Commissioner (Land Administration),
Chepauk, Chennai – 600 005.
2. The District Collector,
District Collector Office,
Theni Highway, Karuvel,
Bommi Nayakan Patti,
Theni District – 625 531.
3. The Revenue Divisional Officer,
Aundipatti Taluk,
Vivek Nagar, Sri Ram Nagar,
Unjampatti,
Theni District – 625 531.
4. The Tahsildar,
Aundipatti Taluk,
Vivek Nagar, Sri Ram Nagar,
Unjampatti,
Theni District – 625 531.
5. The Village Administrative Officer,
Balakombai Village & Post,
Aundipatti Taluk,
Theni District – 625 512.



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6. The Executive Engineer,
Public Works Department,
No.33, Gandhiji Main Road,
NRT Nagar, Theni District- 625 531.

7. S.Manikandan

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 6 to remove the encroachment committed in Odai Poramboke land in S.No.3/1, 4/1 and 24 of Balakombai Village, Aundipatti Taluk, encroached by the seventh respondent and to restore the Government Odai poramboke land for its own purpose in order to protect the public nuisance occurred to other patta land and cultivable lands nearby.

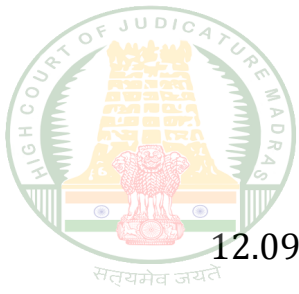
For Petitioner : Mr.T.Rekha

For R-1 to R-6 : Ms.P.B.Ahamed Yasmin Parvin,
Government Advocate.

* * *

ORDER

V.Chinnadurai had earlier filed W.P.(MD)No.21659 of 2024 for removal of encroachment said to have been committed by one Manikandan in S.No.24 of Balakombai Village, Aundipatti Taluk for restoration of the Odai. The writ petition was disposed of by us on



12.09.2024 with a direction to the authority to issue notice to the encroachers and clear the encroachments. While so, the petitioner herein had filed the present writ petition for removing the encroachments in three survey numbers. Survey No.24 has also been included in the very same petition and Manikandan is figuring as the seventh respondent.

2. The learned Government Advocate on written instructions states that the petitioner is a major encroacher in survey No.24. The petitioner's counsel represents that the petitioner is not clear as to whether the petitioner has removed the encroachments. In these circumstances, we are of the view that the petitioner has not approached this Court with clean hands. This writ petition stands dismissed. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)

8th April 2025

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

B.PUGALENDHI, J.

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