

W.P.(MD).No.10685 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD).No.10685 of 2025

Ramu

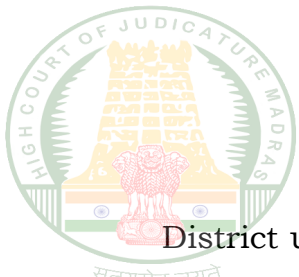
.. Petitioner

Vs.

- 1.The District Collector,
Pudukottai District.
- 2.The Revenue Divisional Officer,
Pudukkottai District.
- 3.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.
- 4.The Block Development Officer,
Thiruvarankulam,
Alangudi Taluk,
Pudukkottai District.
- 5.The Special Officer,
Alangadu Village Panchayat,
Alangudi Taluk,
Pudukkottai District.
- 6.G.Neelakandan
- 7.P.Sounder Rajan

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the Respondents No.1 to 5 not to disturb the petitioner's patta lands in Sy.Nos.226/1B, 226/2B, 226/3, 226/4, 226/6 and 226/18, Alangkadu Village, Alangudi Taluk, Pudukkottai



W.P.(MD).No.10685 of 2025

District under the guise of demarcation or removal of encroachment without following the due process of law by considering his representation dated 25.03.2025.

For Petitioner : Mr.R.Balakrishnan

For R-1 to R-5 : Mr.Muthumanikkam
Government Advocate

ORDER

The petitioner seeks for issuance of Mandamus to direct the respondents 1 to 5 not to disturb the petitioner's patta lands in Sy.Nos. 226/1B, 226/2B, 226/3, 226/4, 226/6 and 226/18, Alangkadu Village, Alangudi Taluk, Pudukkottai District under the guise of demarcation or removal of encroachment without following the due process of law by considering his representation dated 25.03.2025.

2. The petitioner claims that he is residing in Survey Nos.226/1B, 226/2B, 226/3, 226/4, 226/6 and 226/18 of Alangkadu Village, Alangudi Taluk, Pudukkottai District. He claims to have purchased the property on several dates. He alleges that the sixth respondent, who is the husband of the former Panchayat President and his relative, the seventh respondent, are interfering with his possession of the property on account of the fact that the petitioner's relative contested against the sixth respondent's wife in a local body election. It is alleged that the respondents 6 and 7, utilizing their



W.P.(MD).No.10685 of 2025

personal influence on the official respondents, want to declare the petitioner as an encroacher and remove him from the aforesaid property. The petitioner pleads that the other villagers have encroached upon the water body and pathway and he is in possession of only his patta lands. Taking into consideration the activities of the respondents 6 and 7, the petitioner gave a representation to the official respondents on 25.03.2025. As no action has been taken, he has come forward with the present Writ Petition.

3. When the matter came up for admission, Mr.Muthumanikkam, learned Government Advocate, took notice on behalf of the respondents 1 to 5. He has obtained written instructions from the third respondent.

4. As per the written instructions, the third respondent has expressed his readiness to survey the lands of the petitioner and other lands. He adds that if the petitioner is found to be in encroachment of the Government lands, appropriate action will be initiated.

5. I have carefully considered the submissions of both sides. I have gone through the records and the written instructions.

6. In the light of the statement made by the third respondent that a survey will be conducted for the petitioner's lands in order to identify



W.P.(MD).No.10685 of 2025

whether the petitioner is an encroacher or not, there shall be a direction to the third respondent to conclude the survey within a period of four (4) weeks.

The survey shall be conducted after issuing notice to the petitioner. If, after survey, the possession of the petitioner is found to be an unauthorised and punishable one, appropriate proceedings shall be initiated in accordance with law. Till that time, the respondents are restrained from forcibly evicting the petitioner from the subject property.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

17.04.2025

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

To

1.The District Collector,
Pudukottai District.

2.The Revenue Divisional Officer,
Pudukkottai District.

3.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.



W.P.(MD).No.10685 of 2025

4.The Block Development Officer,
Thiruvankulam,
Alangudi Taluk,
Pudukkottai District.

5.The Special Officer,
Alangadu Village Panchayat,
Alangudi Taluk,
Pudukkottai District.



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W.P.(MD).No.10685 of 2025

V.LAKSHMINARAYANAN,J.

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W.P.(MD).No.10685 of 2025

17.04.2025