



W.P.(MD)No.8544 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 30.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.8544 of 2019
and
W.M.P.(MD)No.6670 of 2019**

M.R.Sheik Abdul Rahim

... Petitioner

Vs.

- 1.The District Collector,
Collector Office,
Theni District,
Theni.
- 2.The Superintendent of Police,
Theni District,
Theni.
- 3.The District Revenue Officer,
Collector Office,
Theni District,
Theni.
- 4.The Assistant Executive Engineer,
Public Works Department,
Uthamapalayam,
Uthamapalayam Taluk,
Theni District.



W.P.(MD)No.8544 of 2019

5.The Deputy Executive Engineer,
Agriculture Department,
Uthamapalayam,
Uthamapalayam,
Theni District.

6.The Revenue Divisional Officer,
Revenue Divisional Office,
Uthamapalayam,
Uthamapalayam Taluk,
Theni District.

7.The Block Development Officer,
Chinnamanur Panchayat Office,
Chinnamanur,
Theni District.

8.The Tahsildar,
Uthamapalayam,
Uthamapalayam Taluk,
Theni District.

9.The Village Administrative Officer,
V.A.O Office,
Erasakkanayakkanur Village,
Uthamapalayam Taluk,
Theni District.

10.S.Palanisamy

11.M.Gurusamy

12.G.Vargees

13.V.Selvam

14.C.Vellaipandi

... Respondents



W.P.(MD)No.8544 of 2019

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 9 to take appropriate action against the 10 to 14 respondents for involvement of encroachment in filing sand in brook S.F.Nos. 494/1, 496, 497/1, 498 of Erasakkanayakkanur Village, Uthamapalayam Taluk, Theni District and to consider petitioner's representation dated 02.04.2019.

For Petitioner :Mr.R.Karnan

For Respondents :Mr.A.Kannan
Additional Government Pleader
for R1 & R3 to R9

: Mr.T.Senthil Kumar
Additional Public Prosecutor for R2

: Mr.Mahaboob Athiff for R10 to R14

ORDER

Heard the learned counsel on either side.

2.We are satisfied that the encroachment had since been removed. But it is alleged that there has been a re-encroachment. If that is so, it is the duty of the respondents to remove the same. But it is not the matter who is the encroacher. Even if the petitioner has committed encroachments, he has to be vacated.



W.P.(MD)No.8544 of 2019

WEB COPY 3. With the aforesaid observation and direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

[G.R.S., J.] [B.P., J.]
30.07.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
rmi/Skm

To

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2. The Superintendent of Police,
Theni District,
Theni.
3. The District Revenue Officer,
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4. The Assistant Executive Engineer,
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W.P.(MD)No.8544 of 2019

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W.P.(MD)No.8544 of 2019

G.R.SWAMINATHAN, J

and

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rmi/SKM

W.P(MD)No.8544 of 2019

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