



W.P.(MD)No.13106 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 29.04.2025

CORAM:

THE HON'BLE MRS JUSTICE J. NISHA BANU

AND

THE HON'BLE MRS JUSTICE S.SRIMATHY

W.P.(MD)No.13106 of 2025

Gunasekarapandi

...Petitioner

-Vs-

- 1.The District Collector,
Thoothukudi District,
Thoothukudi
- 2.The Revenue Divisional Officer,
Sirvaikundam,
Thoothukudi District.
- 3.The Tahsildar,
Srivaikundam,
Thoothukudi District.
- 4.The Block Development Officer,
Srivaikundam,
Thoothukudi District.
- 5.The Panchayat Secretary,
Kilbidagai Varatharajapuram Panchayat,
Srivaikundam Taluk,
Thoothukudi District.



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6.Rajendra Boopathi @ Murugesan

7.Abdul Adhithan

8.Stalin

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the 3rd respondent to remove the encroachments of the respondents 6 to 8 made in the land in survey No.306/2, situating in Nalankudi Village, Kilbidagai Varatharajapuum Panchayat Srivaikundam Taluk, Thoothukudi District by considering the petitioner's representation dated 07.11.2024 and 11.02.2025 within the time limit hat may be stipulated by this Court.

For Petitioner : Mr.M.S.Jeyakarthik
For R1 to R5 : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

(Order of the Court was made by **J.NISHA BANU, J.**)

By consent, this writ petition is taken up for final disposals at the admission stage itself.

2.Mrs.D.Farjana Ghoushia, learned Special Government Pleader takes notice for the respondents 1 to 5. Considering the nature of the order proposed to be passed in this writ petition, notice to the respondents 6 to 8 is dispensed with.



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WEB COPY 3.The petitioner has filed this writ petition seeking to remove the encroachment in the petition mentioned property.

4.Perusal of the records shows that with regard to the property in question, a civil suit has been filed in O.S.No.160 of 2024 before the District Munsif Court, Srivaikundam and the same is pending.

5.Admittedly, with regard to the subject property, a civil suit is pending. Hence, this Court is not inclined to invoke its jurisdiction under Article 226 of the Constitution of India. Accordingly, this writ petition is **dismissed**. If at all the petitioner is aggrieved, it is for the petitioner to implead himself in the said suit or to initiate fresh suit to redress his grievance. No costs.

(J.N.B.,J.) (S.S.Y.,J.)
29.04.2025

Index: Yes/No
Internet : Yes/No
ta

To

1.The District Collector,
Thoothukudi District,
Thoothukudi.

3/5



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