



W.P.(MD) No.12777 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 29.04.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.12777 of 2025

Poomari

... Petitioner

-Vs-

- 1.The District Collector,
Monitoring Committee/
Sivagangai District.
- 2.The Revenue Divisional Officer,
Sivagangai District.
- 3.The Thasildhar,
Thiruppuvanam Taluk,
Sivagangai District.
- 4.The Zonal Deputy Thasildhar,
Thiruppuvanam Taluk,
Sivagangai District.
- 5.Rajesh @ Rajesh Kannan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fourth respondent to conduct survey in whole north street without any bias in old Grama Natham Survey No.47/1 in new Grama

Page 1 of 5



W.P.(MD) No.12777 of 2025

Natham Survey No.108/1 at T.Athikarai Village, Thiruppuvanam Taluk, Sivagangai District and the fourth respondent to identify all the encroachments in the petitioner's village streets and to take effective steps to remove the encroachment in equal before law on the basis of the petitioner's representation dated 24.04.2025.

For Petitioner : Mr.R.Udhayakumar
For R1 to R4 : Mr.J.Ashok
Additional Government Pleader
For R5 : Mr.K.Mahesh Raja

ORDER

[Order of the Court was made by *J.NISHA BANU, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.Mr.J.Ashok, learned Additional Government Pleader, takes notice for the respondents 1 to 4 and Mr.K.Mahesh Raja, learned counsel for the fifth respondent. Considering the nature of the order proposed to be passed in this writ petition, notice to the sixth respondent is dispensed with.

3.The petitioner has filed this writ petition seeking to conduct survey to find out the encroachments made in the petitioner's village and to take effective steps to remove all the encroachments made in the subject property.



W.P.(MD) No.12777 of 2025

4.The learned Additional Government Pleader appearing for the official respondents, on instructions, submits that already survey has been conducted and encroachments were found in the subject property. Further, the authorities concerned have issued notice under Section 7 of the Land Encroachment Act to the alleged encroachers and reply for the said notice is awaited.

5.In view of the above submission, this Court directs the authorities concerned to proceed with the process of removal of encroachment in the subject property. The authorities are also directed to pass appropriate orders by considering the objections to be raised by the encroachers and after affording an opportunity of hearing including personal hearing to the encroachers as well as the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs.

[J.N.B., J.] & [S.S.Y., J.]
29.04.2025

NCC : Yes / No
Index : Yes / No
ta

Page 3 of 5



W.P.(MD) No.12777 of 2025

WEB COPY
To

- 1.The District Collector,
Monitoring Committee/
Sivagangai District.
- 2.The Revenue Divisional Officer,
Sivagangai District.
- 3.The Thasildhar,
Thiruppuvanam Taluk,
Sivagangai District.
- 4.The Zonal Deputy Thasildhar,
Thiruppuvanam Taluk,
Sivagangai District.



WEB COPY



W.P.(MD) No.12777 of 2025

J.NISHA BANU, J.

AND

S.SRIMATHY, J.

ta

W.P.(MD)No.12777 of 2025

29.04.2025