



WEB COPY



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W.P.(MD)NO.13800 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.13800 of 2021

K.Mayilsamy

... Petitioner

Vs.

1. The District Collector,
Tenkasi District,
Tenkasi.
2. The Revenue Divisional Officer,
Sankarankovil Town,
Tenkasi District.
3. The Tahsildar,
Taluk Office,
Sankarankovil Town,
Tenkasi District.
4. The Block Development Officer,
O/o.the Block Development Officer,
Sankarankovil Town,
Tenkasi District.
5. T.Kumar
6. K.Thangasamy
7. Mariyappan

... Respondentss

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the



respondents 1 to 4 herein to remove the encroachments made by respondents 5 to 7 herein in S.No.573 in Odai poramboke, Kalappakulam Village, Sankarankovil Taluk as per G.O.Ms.No.540 Revenue LD6(2) Department, dated 04.12.2014.

For Petitioner : Mr.M.Thirunavukkarasu
For R-1 to R-4 : Mr.A.Kannan,
Additional Government Pleader.
For R-5 : Ms.A.Banumathy
For R-6 & R-7 : No appearance.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for respondents 1 to 4 and the learned counsel appearing for the fifth respondent.

2. There is no representation for respondents 6 and 7.

3. The writ petitioner is no more. Since this writ petition has been filed as PIL, the demise of the petitioner would not lead to abatement of the proceedings. The writ petitioner had alleged that survey No.573 is a water body and there are encroachments.



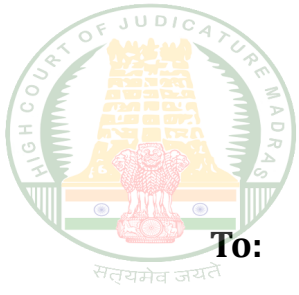
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4. The character of the petition-mentioned survey number is admitted. It is also admitted that survey had already been conducted in the said survey number. It has been noticed that there are number of encroachments. It is stated that notice under Section 7 of the Tamil Nadu Land Encroachment Act was issued and it was also an issuance order under Section 6 of the Act. When these developments have taken place way back in the year 2023, we fail to understand as to why the same has not been enforced till date. We express our sense of dismay. It is seen that no appeal appears to have been filed by the encroachers under Section 10 of the Act. We direct the jurisdictional Tahsildar to enforce the order under Section 6 of the Act within a period of six weeks from the date of receipt of a copy of this order. This writ petition stands allowed accordingly. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
30th July 2025

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

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