



W.P.(MD) No.13367 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.04.2025

CORAM:

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

AND

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

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Arunthavasu

... Petitioner

-Vs-

1.The District Collector / Monitoring Committee,
Sivagangai District.

2.The Revenue Divisional Officer,
Sivagangai District.

3.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.

4.Moorthy
5.Karuppaiah

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to consider the petitioner's representation dated 05.02.2025 within a time frame that may be stipulated by this Court and directing the 3rd respondent to remove the encroachment in Old Survey No.495/2 in New Natham Survey No.567/5 as classification of pathway cum

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street at Kuvankulam Village, Enathi Post, Thiruppuvanam Taluk, Sivagangai District on the basis of the measurement in FMB sketch in Survey No.567.

For Petitioner : Mr.R.Udhayakumar
For R1 to R3 : Mrs.D.Farjana Ghoushia,
Special Government Pleader

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.It is the grievance of the petitioner that his representation dated 05.02.2025, seeking removal of the encroachment in Old Survey No.495/2 in New Natham Survey No.567/5, situated at Kuvankulam Village, Enathi Post, Thiruppuvanam Taluk, Sivagangai District, which is classified as pathway cum street, on the basis of the measurement in FMB sketch in Survey No.567, is kept pending till date without any progress. Therefore, he has filed this Writ Petition.



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3.Mrs.D.Farjana Ghoushia, learned Special Government Pleader, who takes notice on behalf of the respondents 1 to 3, submits that the representation of the petitioner would be considered and appropriate orders would be passed in accordance with law within a period that may be stipulated by this Court.

4.Notice to the respondents 4 and 5 is dispensed with, since no adverse order is going to be passed as against them.

5.Considering the limited scope of the prayer sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner either in the representation or in the affidavit filed in support of this Writ Petition, we direct the 3rd respondent to consider the representation of the petitioner dated 05.02.2025, after giving sufficient opportunity of hearing to the petitioner and the respondents 4 and 5 and pass appropriate orders on merits and in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition is disposed of. No costs.

[J.N.B., J.] & [S.S.Y., J.]
30.04.2025

NCC : Yes / No
Index : Yes / No

Yuva

To

1. The District Collector / Monitoring Committee,
Sivagangai District.
2. The Revenue Divisional Officer,
Sivagangai District.
3. The Tahsildar,
Thiruppuvanam Taluk,
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