



W.P(MD)No.14086 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.05.2025

CORAM:

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI
AND
THE HONOURABLE MR.JUSTICE R. SAKTHIVEL**

W.P(MD)No.14086 of 2025

Kannaiyan

... Petitioner

Vs.

1.The District Collector,
Tiruchirapalli.

2.The Assistant Commissioner,
Tiruchirapalli City Municipal Corporation,
Tiruchirapalli.

3.The Tahsildhar,
Srirangam Taluk,
Tiruchirapalli.

4.The Assistant Executive Engineer (O&M),
Tamil Nadu Electricity Board,
Srirangam, Tiruchirapalli.

5.The Superintending Engineer,
Office of Superintending Engineer (Highways),
Trichy Circle.

6.B.Muthukumaran

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records in Na.Ka.No.F1/1632/2024 on the file of the 2nd respondent herein and to quash the same as arbitrary and illegal.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.A.Kannan
Addl. Govt. Pleader – for RR1, 3 & 5

: Mr.K.R.Kishore Ram
For M/s.R.B.Law Associates – for R2

ORDER

[Order of the Court was made by M.DHANDAPANI, J.]

Challenging the eviction notice dated 11.04.2025 issued by the second respondent in Na.Ka.No.F1/1632/2024, the present writ petition is filed.

2. Heard Mr.S.Venkatesh, learned counsel for the petitioner, Mr.A.Kannan, learned Additional Government Pleader for respondents 1, 3 and 5 and Mr.K.R.Kishore Ram, learned counsel for the second respondent.



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3. Learned counsel for the petitioner would submit that the petitioner is in occupation of the land in T.S.Nos.2325A and 2325B, Ward C, Block No.43 of Thimmaraya Samuthram Village, Srirangam, Tiruchirappalli and aggrieved by his occupation, one B.Muthukumaran, filed a writ petition before this Court in W.P.(MD) No.19162 of 2018 to direct the respondents therein to consider his representation for removal of the encroachments. This Court *vide* its order dated 05.12.2024, directed the respondents 2 to 6 therein to file a status report with regard to the classification of the aforesaid properties and in whose control the properties are coming under. However, the said order was not complied with. Subsequently, when the matter was taken up for hearing on 07.04.2025, this Court directed the second respondent to explain as to what steps have been taken to remove the encroachments and further directed the respondents 2 to 6 to file an affidavit each explaining as to why the order dated 05.12.2024 was not complied with. Pursuant to the said order, the present impugned eviction notice was issued under Sections 128(1B) and 128(2) of the Tamil Nadu Urban Local Bodies Act, 1998.



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4. However, it is now brought to the notice of this Court by the learned counsel for the petitioner that similar notice was challenged before this Court in W.P.(MD) Nos.13518 to 13542 of 2025 batch, wherein a Division Bench of this Court issued direction to the respondents therein not to take any coercive steps till the patta proceedings and the alternative site proceedings are concluded.

5. The learned Additional Government Pleader did not dispute the said fact.

6. Learned counsel for the petitioner would further submit that prior to the impugned order, the petitioner has already made a representation to the third respondent for grant of patta or to provide alternate site. But the third respondent has not passed any orders on the representation of the petitioner till date.

7. In view of the above, we are inclined to issue direction to the third respondent to dispose of the petitioner's representation.



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8. Accordingly, this Writ Petition is disposed of directing the third respondent to dispose of the petitioner's representation, already submitted, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that till such time, no coercive steps shall be taken against the petitioner. There shall be no order as to costs.

[M.D.I., J.] [R.S.V., J.]
08.05.2025

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

abr

To

- 1.The District Collector,
Tiruchirapalli.
- 2.The Assistant Commissioner,
Tiruchirapalli City Municipal Corporation,
Tiruchirapalli.
- 3.The Tahsildhar,
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M.DHANDAPANI, J.
and
R. SAKTHIVEL, J.

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- 4.The Assistant Executive Engineer (O&M),
Tamil Nadu Electricity Board,
Srirangam, Tiruchirapalli.
- 5.The Superintending Engineer,
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