



W.P.(MD) No.15653 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD) No.15653 of 2025

H.Syed Abuthahir

... Petitioner

-vs-

1.The District Collector
Office of the District Collector
Ramanathapuram District

2.The Tahsildar
Taluka Office
Kilakarai Town
Kilakarai Taluk
Ramanathapuram District

3.The Municipality Commissioner
Office of the Municipality Commissioner
Kilakarai Town
Kilakarai Taluk
Ramanathapuram District

4.N.Farqath Risbiya

5.L.Rahmath Abila

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondent Nos.1 to 3 to take necessary steps to remove the encroachment made by the 4th and 5th respondent in public street in G.R.Survey No.817/18 of Kilakarai Town, Kilakarai Taluk, Ramanathapuram District, in view of the communication in O.Mu.A4/318/2025 dated 11.03.2025 by the 2nd respondent to the 3rd respondent and by considering the petitioner's representation dated 05.05.2025 within the period as stipulated by this Court.

For Petitioner : Mr.S.Atham Ali

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 & R2
Mr.K.Saravanan
Standing Counsel for R3
Mr.J.Bharathan for R4 & R5

ORDER

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

The writ on hand has been instituted seeking a direction to the respondents 1 to 3 to take necessary steps to remove the encroachment made by the respondents 4 & 5 in the public street in G.R.Survey No.817/18 of Kilakarai Town, Kilakarai Taluk, Ramanathapuram District, in view of the communication in O.Mu.A4/318/2025 dated 11.03.2025 by the second



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respondent to the third respondent and by considering the petitioner's representation dated 05.05.2025, within the period as stipulated by this Court.

2. The Commissioner, Kilakarai Municipality, has filed a counter affidavit stating that after conducting survey and after identifying the encroachments, a show cause notice has been issued and a final notice has also been issued to the encroachers.

3. In view of the above, if at all the respondents 4 and 5 possessing any document in respect of the subject land, they are at liberty to submit their explanation / defence statement along with the documents, if any, to the competent authority, in response to the eviction notice issued. On receipt of any such explanation, if filed, the authorities concerned may consider the same and take a final decision and thereafter remove the encroachments by following the procedures as contemplated under the relevant statutes and rules. The said exercise is directed to be completed within a period of twelve weeks from the date of receipt of a copy of this order.



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4. With the above observation, this writ petition is disposed of. No costs.

[S.M.S., J.]

[A.D.M.C., J.]

10.07.2025

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

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To:

- 1.The District Collector,
Office of the District Collector,
Ramanathapuram District.
- 2.The Tahsildar,
Taluka Office,
Kilakarai Town,
Kilakarai Taluk,
Ramanathapuram District.



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and
DR.A.D.MARIA CLETE, J.

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