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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 25/03/2025

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

WP(MD). No.17796 of 2024

Rajamani ... Petitioner

Vs

1. The District Collector/monitoring Committee,
Madurai.

2. The Thasildhar,
Usilampatti, Madurai.

3. The Block Development Officer,
Chellampatti Union,
Madurai District.

4. The Inspector of Police,
Sinthupatti Police Station,
Madurai District.

5. The President,
Thummakundu, Usilampatti Taluk,
Madurai District.

6. The President,
Sindhupatti, Usilampatti Taluk,
Madurai District.

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7. R.Chella Kannan

8. Periyakaruppan

9. Singaperumal ... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to remove the encroachment made by respondent 7 to 9 over the Vandipathai in Sy. Nos.20,21,23 and 26 Thumba Kottai Village by considering his representation dated 27.08.2021, 11.09.2023 and 05.02.2024 and consequently direct the respondents 3, 5 and 6 to restore above Vandipathai in Sy. Nos.20,21,23 and 26 Thumba Kottai Village.

For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mrs.D.Farjana Ghoushia for R1&R2
Spl. Government Pleader
Mr.E.Antony Sahaya Prabakar for R4
Additional Public Prosecutor
Mr.A.Kannan for R3,R5 and R6
Additional Government Pleader

ORDER

(Order of the Court was made by J.NISHA BANU, J.)

The writ petition has been filed for a direction to the respondents 1 and 2 to remove the encroachment made by respondents 7 to 9 over the

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Vandipathai in Sy. Nos.20,21,23 and 26 Thumba Kottai Village by considering his representations dated 27.08.2021, 11.09.2023 and 05.02.2024 and consequently direct the respondents 3, 5 and 6 to restore above Vandipathai in Sy. Nos.20,21,23 and 26 Thumba Kottai Village.

2. It is the case of the petitioner that in the aforesaid survey numbers ie., in the pathway, encroachments have been made by the private respondents. In order to remove the said encroachments, the petitioner has given a representations on 27.08.2021 and 11.09.2023 and the last such representation was given on 05.02.2024. Since the said representations were not considered so far, the petitioner is before this Court with this writ petition.

3. We have heard the learned counsel for the petitioner, the learned Special and Additional Government Pleader and the learned Additional Public Prosecutor for the respondents.

4. Considering the facts and circumstances of the case and without going into the merits or the contentions of the petitioner, the respondent

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is directed to consider the representation of the petitioner dated 16.11.2024 by giving due opportunity to the petitioner as well as others and pass suitable orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

[J.N.B.,J] **[S.S.Y.,J]**

21.03.2025

NCC : Yes/No
Index : Yes/No
RR

To
1. The Principal Secretary,
Department of Prohibition and Excise,
Fort St. George, Secretariat, Chennai - 600 009..

2. The Commissioner,
Commissionerate of Prohibition and Excise,
Chepauk, Chennai - 600 005..

3. The District Collector,
Tenkasi, Tenkasi District..

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J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
IN
WP(MD) No.2041 of 2025

Date : 21/03/2025

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