



WP(MD). No.18101 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 25/03/2025

CORAM

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

WP(MD). No.18101 of 2024
and WMP(MD) No.15456 of 2024

R.Subburaj

... Petitioner

Vs

1. The District Collector,
Theni District , Collectorate , Theni

2. The Tahsildar,
Periyakulam Taluk Office ,
Periyakulam Post , Theni District..

3. The Block Development Office,
(Village Panchayat / Monitoring
Committee), Periyakulam Panchayat Union,
Periyakulam Post, Theni District..

4. The President,
Vada Pudupatti Village Panchayat ,
Periyakulam,Panchayat Union,
Periyakulam Taluk, Theni District..

5. J.Pandiyan

6. T.Kannaiyan

... Respondents

1/5



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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 to 4 to remove the obstruction and other encroached constructions made by the 5th respondent in the Government Public Pathway more particularly in and around of the Sri Sidhi Vinayagar Temple, Madurapuri Village, Vadapudupatti Village Panchayat, Periyakulam Panchayat Union, Theni District.

For Petitioner : Mr.M.Saravanakumar

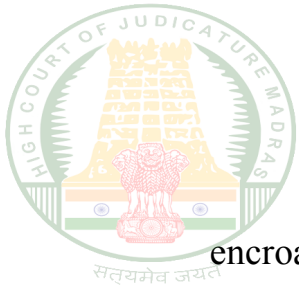
For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

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

The writ petition has been filed for a direction to respondents 1 to 4 to remove the obstruction and other encroached constructions made by the 5th respondent in the Government Public Pathway more particularly in and around of the Sri Sidhi Vinayagar Temple, Madurapuri Village, Vadapudupatti Village Panchayat, Periyakulam Panchayat Union, Theni District.

2.The petitioner is a resident of Madurapuri Village. In the area where the petitioner is residing, the common public pathway/road was



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encroached by the 5th respondent. In order to remove the said encroachment, the petitioner has given a representation to the respondents 1 to 4 on 02.05.2022 and 17.10.2022. However, no action has been taken so far. Hence, the petitioner is before this Court with this writ petition.

3. We have heard the learned counsel for the petitioner and the learned Additional Government Pleader for the official respondents. Though notice was served on the respondents 5 and 6, there is no representation on behalf of the private respondents.

4. Considering the facts and circumstances of the case and without going into the merits or the contentions of the petitioner, the respondents 2 and 3 are directed to consider the representation of the petitioner dated 17.10.2022 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.



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5. With the above direction, the writ petition is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

25.03.2025

NCC : Yes/No

Index : Yes/No

RR

To

1. The District Collector,
Theni District , Collectorate , Theni

2. The Tahsildar,
Periyakulam Taluk Office ,
Periyakulam Post , Theni District..

3. The Block Development Office,
(Village Panchayat / Monitoring
Committee), Periyakulam Panchayat Union,
Periyakulam Post, Theni District..



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

RR

ORDER
IN
WP(MD) No.18101 of 2024

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