



W.P(MD)No.20082 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.03.2025

CORAM :

**THE HONOURABLE MRS.JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

W.P(MD)No.20082 of 2024

K.Sethuraju

... Petitioner

vs.

1. The District Collector,
Collectorate, Tiruchirapalli - 620 001.

2. The Superintendent of Police,
District Police Office, Tiruchirapalli - 620 020.

3. The Inspector of Police,
Jambunathapuram Police Station,
Musiri Taluk, Tiruchirapalli District.

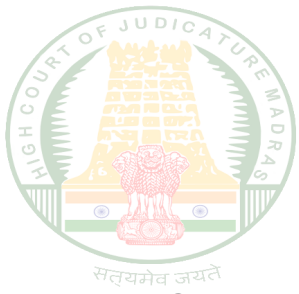
4. The Executive Engineer,
Public Works Department, Tiruchirapalli.

5. C.Venugopal

6. The Tahsildar,
Musiri Taluk,
Tiruchirappalli District.

(R6 impleaded vide order dated 03.03.2025
made in WMP(MD)No.17494 of 2024)

... Respondents



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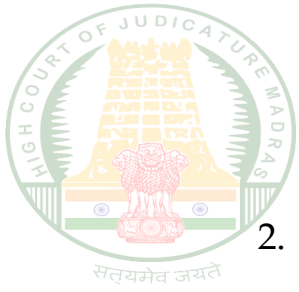
PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 to 4 for necessary action to remove the obstruction and action against the 5th respondent for having caused obstruction and further necessary direction to the 1st respondent for removal of encroachment of the vari vandikkarai by restoring the same to the original extent may be issued.

For Petitioner : Mr.T.Joshua
For R1 & R4 & R6 : Mrs.D.Farjana Ghoushia
Special Government Pleader
For R2 & R3 : Mr.A.Albert James
Government Advocate(Crl.Side)
For R5 : Mr.E.Mathan Kumar for
Mr.G.R.Balakumar

ORDER

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

The prayer in this writ petition is for issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to remove the obstruction made by the 5th respondent over the bund of water canal and to restore the same to its original position.

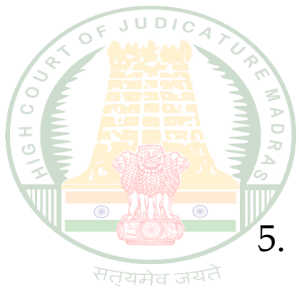


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2. Though the petitioner sought for the abovesaid prayer, today, when the writ petition was taken up for hearing, learned counsel appearing for the petitioner submitted that it is suffice if a direction is issued to the official respondents to consider and dispose of the petitioner's representation dated 27.10.2023 followed by a reminder dated 07.03.2024, within a time frame.

3. Learned Special Government Pleader appearing for the respondents 1, 4 and 6 submitted that the petitioner himself is an encroacher and that the representation of the petitioner dated 27.10.2023 followed by a reminder dated 07.03.2024, would be considered and appropriate orders would be passed on its own merits within a time frame that may be stipulated by this Court.

4. Heard the learned counsel for the petitioner, learned Special Government Pleader for the respondents 1, 4 and 6, learned Government Advocate(Crl.Side) appearing for the respondents 2 and 3 and the learned counsel appearing for the 5th respondent.



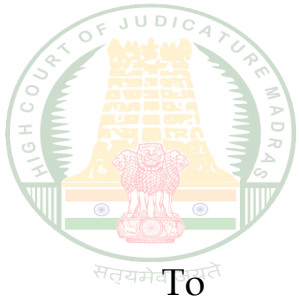
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5. In the light of the above submissions, there shall be a direction to the respondents 1, 4 and 6 to consider the petitioner's representation dated 27.10.2023 followed by a reminder dated 07.03.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, private respondent, as well as all other persons, who may be interested in the subject property, within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the concerned respondents to consider the same on its own merits.

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

[J.N.B, J.] [S.S.Y, J.]
03.03.2025

Index : Yes / No
Neutral Citation : Yes / No
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J.NISHA BANU, J.
AND
S.SRIMATHY, J.

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ORDER MADE IN
W.P(MD)No.20082 of 2024
DATED : 03.03.2025