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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Thursday, the Seventh day of August Two Thousand and Twenty Five

PRESENT

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

WMP(MD). No.15987 of 2025
IN
WP(MD)NO.18800 OF 2025

1.Pandiyan

2.Vadivukarasi ... Petitioners/Respondents 7 & 8

Vs

1 Venkatesan

2 The District Collector / Monitoring Committee
Pudukkottai
Pudukkottai District.

3 The Divisional Engineer
Highways
Pudukkottai,Pudukkottai District.

4 The Assistant Divisional Engineer
Highways Construction and Maintenance Office
Pudukkottai
Pudukkottai District.

5 The Revenue Divisional Officer
Pudukkottai Pudukkottai District.



6 The Commissioner
Pudukkottai Municipality
Pudukkottai, Pudukkottai District.

7 The Inspector of Police
Ganesh Nagar Police Station
Pudukkottai District.

... Respondent Nos 2 to 7 / Respondents 1 to 6

Prayer in WMP(MD)No.15987 of 2025:-

This Writ Miscellaneous Petition is filed Under Article 226 of the Constitution of India, to pass an order to modify the order made in WP(MD).No. 18800 of 2025 dated 11.07.2025 that till the final verdict of the proceeding before the DRO in Petition No. 2463910/2024 and the suit in O.S.No. 84/2024 on the file of the Honble District Munsif Court, Pudukkottai no action shall be taken under guise of eviction to evict the petitioner from her property in T.S.No. 13/4 in Manippallam Road, Pudukkottai Town, Pudukkottai District and thus render justice.

Prayer in WP(MD). 18800/ 2025 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition, to issue a Writ of Mandamus, directing the Respondent 1 to 6 to remove the encroachments made by the Respondent 7th and 8th in S.No. 13/4 situated in Manippallam road, Pudukkottai Town, which is classified as salai (Road).

ORDER:- This Writ Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.Ananth C Rajesh For Mr.A.Haja Mohideen, Advocate for the Petitioner and of Mr.R.Maheswaran, Advocate For Respondent NO.1 and Mr.M.Sarangan Additional Government Pleader For R2 to R6 and Mr.T.Senthil Kumar Additional Public Prosecutor For R7, this Court made the following order:



This modification petition is filed to modify the order of this Court, dated 11.07.2025, passed in W.P.(MD) No.18800 of 2025.

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2. The said writ petition was instituted seeking to remove the encroachments. During the course of hearing of the said writ petition, learned Additional Government Pleader appearing for the respondents 2 to 6 herein made a submission that enforcement actions are initiated by following the procedures contemplated. The said statement was recorded and the authorities concerned were directed to proceed with the enforcement action. This being the order passed, the modification, as such sought for, by re-adjudicating the merits of the case would not arise at all.

3. Accordingly, this miscellaneous petition is dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2025

Sub Assistant Registrar
(CS - I/II/III/IV)

TO

1 The District Collector / Monitoring Committee
Pudukkottai
Pudukkottai District.

2 The Divisional Engineer
<https://www.mhc.tn.gov.in/judis>
Highways
Pudukkottai, Pudukkottai District.



3 The Assistant Divisional Engineer
Highways Construction and Maintenance Office
Pudukkottai
Pudukkottai District.

4 The Revenue Divisional Officer
Pudukkottai Pudukkottai District.

5 The Commissioner
Pudukkottai Municipality
Pudukkottai, Pudukkottai District.

6 The Inspector of Police
Ganesh Nagar Police Station
Pudukkottai District.

7. The Special Govt. Pleader,
Madurai Bench of Madras High Court,
Madurai

8. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai

ORDER DATED : 07/08/2025

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ORDER

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WMP(MD). No.15987 of 2025

IN

WP(MD)NO.18800 OF 2025

Giving direction and etc.

as stated within.

TS (28/08/2025) 4P/9C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17.07.2023.