



W.P(MD)No.21154 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**W.P(MD)No.21154 of 2025
and
WMP (MD) No.16347 of 2025**

D.N.Stalin

... Petitioner

vs.

1. The Regional Director,
Municipal Administration,
Tirunelveli District.
2. The District Collector,
Office of the District Collector,
Tirunelveli District.
3. The District Revenue Officer,
Office of the District Collector,
Tirunelveli District.
4. The Sub Collector,
Office of the Sub Collector,
Cheranmadevi,
Tirunelveli District.



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5. The Tahsildar,
Ambasamuthiram Taluk,
Tirunelveli District.

6. The Municipal Commissioner,
Ambasamuthiram Taluk,
Tirunelveli District.

7. J.Albert

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 6 to take appropriate and immediate steps to remove the encroachment put up by the 7th respondent in the Street and Drainage Channel (Kazhivu Neer Oodai) in Natham Survey No.995/35, Subramaniyapuram Potthai, Kadasal Pattarai Street, Ambasamuthiram Village, Tirunelveli District, by considering the representation submitted by the petitioner and general public of the above said locality dated 26.04.2025, within the time limit.

For Petitioner : M/s.M.Maria Vinola

For R1 – R5 : Mr.P.Thilak Kumar
Government Pleader

For R6 : Mr.A.Packiamuthu
Standing Counsel



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ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA, J.)

This writ petition has been filed for issuance of a writ of Mandamus, directing the respondents 1 to 6 to take appropriate and immediate steps to remove the encroachment made by the seventh respondent on the Street and Drainage Channel (Kazhivu Neer Oodai) in Natham Survey No.995/35, Subramaniyapuram Potthai, Kadasal Pattarai Street, Ambasamuthiram Village, Tirunelveli District, by considering the representation submitted by the petitioner and the general public of the above said locality dated 26.04.2025, within a time frame to be stipulated by this Court.

2. Heard Ms.M.Maria Vinola, learned counsel for the petitioner; Mr.P.Thilak Kumar, learned Government Pleader, who accepts notice on behalf of the respondents 1 to 5 and Mr.A.Packiamuthu, learned Standing Counsel, who accepts notice on behalf of the sixth respondent.



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3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the seventh respondent is dispensed with.

4. Alleging that the seventh respondent has encroached upon the drainage channel and public pathway by constructing a compound wall, the petitioner submitted a representation dated 26.04.2025 to the respondents 1 to 6, requesting them to remove the encroachment. However, since no action was taken on the said representation, the petitioner has now approached this Court by filing the present Writ Petition.

5. Learned counsel for the petitioner would further submit that the petitioner would be satisfied if a direction is issued to the sixth respondent to consider the representation of the petitioner dated 26.04.2025 and pass appropriate orders thereon, within a time frame to be fixed by this Court.



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6. Considering the above facts and circumstances, without going into the merits of the case, this Writ Petition is disposed of with a direction to the fourth respondent, to consider the representation of the petitioner dated 26.04.2025 and pass appropriate orders in accordance with law, after affording an opportunity of hearing to all the parties concerned. Such exercise shall be completed as expeditiously as possible, preferably within a period of eight (8) weeks from the date of receipt of a copy of this order. It is also 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 fourth respondent to consider the same on its own merits. No costs.

[A.D.J.C.,J.] & [R.P.,J.]
01.08.2025

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



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

PKN

ORDER MADE IN
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DATED : 01.08.2025