



**WP(MD). No.22225 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**Date : 02/04/2025**

**CORAM**

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

**WP(MD). No.22225 of 2024**

1. A.Kumarasamy
2. Raju
3. Rajesh
4. Jamburaj
5. T.Thiraviyaraj

... Petitioners

v.

1. The District Collector,  
Tenkasi District, Tenkasi.

2. The Commissioner,  
Municipal Administration/water Supply Department,  
Tenkasi Municipality, Tenkasi.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to remove the encroachment i.e., Water Tank Structure erected in S.No.34, Ward B, Block No.12, Railway Mettu Street, Kalakkodi Street, Tenkasi.

For Petitioner : Mr.M.Dinesh Hari Sudarsan



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For Respondents : Mr.M.Sarangan for R1  
Additional Government Pleader  
Mr.P.Athimoolapandian for R2

**ORDER**

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

The writ petition has been filed directing the 2<sup>nd</sup> respondent to remove the encroachment i.e., Water Tank Structure erected in S.No.34, Ward B, Block No.12, Railway Mettu Street, Kalakkodi Street, Tenkasi.

2. It is the case of the petitioner that the 2<sup>nd</sup> respondent has encroached the road by 5 feet in width and length and put up a tank. Therefore, in order to remove the same, the petitioners have sent a representation to the 1<sup>st</sup> respondent on 22.07.2024. Since the said representation has not been considered so far, the petitioner is before this Court with this writ petition.

3. We have heard the learned counsel for the petitioners, the learned Additional Government Pleader for the 1<sup>st</sup> respondent and the learned counsel for the 2<sup>nd</sup> respondent.



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4. Considering the facts and circumstances of the case and without going into the merits of the matter, the 1<sup>st</sup> respondent is directed to consider the representation of the petitioner dated 22.07.2024, by giving due opportunity to the petitioners as well as other interested persons, 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.

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

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

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

**02.04.2025**

**NCC : Yes/No**

**Index : Yes/No**

RR

To

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**AND**  
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**RR**

**ORDER**  
**IN**  
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