



W.P.(MD) No. 23162 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 23162 of 2025

Banumathi

... Petitioner

Vs

1. The District Collector,
Tenkasi,
Tenkasi District.

2. The Revenue Divisional Officer,
O/o the Revenue Divisional Office,
Sankarankovil,
Tenkasi District.

3. The Block Development Officer,
Sankarankovil Union,
Sankarankovil,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents 2 and 3 to consider and pass order in the petitioner's representation dated 05.05.2025 for laying street road above 5 feet distance in his house in Survey No.1096/7 free house site No. 35, otherwise laying street road in the Survey No.1096/36, Colony Street,



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Paraikulam Village, Madathupattu Panchayat, Kadayanallur Taluk, Tenkasi District within the time limit that may be stipulated by this Court.

For petitioner : Mr. K.Sankar

For respondents : Mr.D.Ghandiraj
Special Government Pleader

ORDER

This Writ Petition is taken up for hearing at the time of admission with the consent of the learned counsel for the petitioner and the learned Special Government Pleader for the respondents.

2. This is the second round of litigation before this Court. Earlier, the petitioner's husband, namely, Ulaganathan had filed W.P.(MD) No.14358 of 2025 for a Mandamus to direct the respondents 2 to 5 to remove the encroachment made by the sixth respondent, who allegedly illegally encroached the Government Promboke (including the common path) and constructed a house vide in Survey No.1096/36 (old Survey No.65/5A) of Veerasigamani Village, Sankarankovil Taluk, Tenkasi District, considering the petitioner's last representation dated



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3. The said Writ Petition was disposed of at the time of admission on 21.05.2025 with the following observations:

“4.Considering the limited scope of the relief sought for by the petitioner and without expressing any opinion on the merits of the petitioner’s claim either in the representation or in the affidavit filed in support of this Writ Petition, we direct the respondents 2 to 5 to consider the representation of the petitioner dated, 24.02.2025, after affording sufficient opportunity of personal hearing to the petitioner and the sixth respondent and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.”

4. It is submitted that now instead of taking steps as per the directions of this Court dated 21.05.2025 in W.P.(MD) No.14358 of 2025, the respondents are proposing to put up road on the land of the petitioner.

5. The learned counsel for the petitioner submits that the petitioner had given a representation dated 05.05.2025, which has not been considered.



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6. The learned Special Government Pleader for the respondents, on the other hand, submits that the petitioner's representation dated 05.05.2025 will be considered by the jurisdictional Tahsildar, after the survey is conducted by Village Firka Surveyor in presence of the petitioner and respondents 2 and 3 for appropriate orders.

7. Recording the same, this Writ Petition is disposed of by directing the jurisdictional Tahsildar to pass an appropriate order on the petitioner's aforesaid representation. Since jurisdictional Tahsildar has not been made a party, there shall be a direction to the respondents 2 and 3 to transmit the details of the survey to the jurisdictional Tahsildar to pass appropriate orders on the petitioner's representation.

8. The petitioner is directed to cooperate with the respondents 2 and 3.

9. This Writ Petition is disposed of, with the above observations. No costs.

Index : Yes / No
Internet : Yes / No
apd

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C.SARAVANAN, J.

apd

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