



W.P.(MD)No.23748 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.09.2025**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.P.(MD)No.23748 of 2025

A.Raju

... Petitioner

/Vs./

1. The District Collector,
Madurai District, Madurai.

2. The Commissioner,
Madurai Municipal Corporation,
Anna Maligai, Madurai.

3. The Thasildhar,
Madurai North Taluk,
Madurai District.

4. The Assistant Commissioner,
North Zone - II,
Corporation of Madurai,
Madurai.

5. Kesavan

6. Antony Raj

... Respondents

1/6



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PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to direct the 4th respondent to remove the encroachments and protect the 20 feet public road in Survey No. 167/5 of 4th Cross Street, Samadhana Nagar, Ward No.20, Vilangudi 1st Bit, Madurai, Madurai District, based on the petitioner's representation dated 04.04.2025 within the stipulated time limit as fixed by this Court.

For Petitioner : Mr.N.Palaniyandi
For Respondents : Mr.S.P.Maharajan (R1 & R3)
Special Government Pleader
Mr.K.K.Kannan (R2 & R4)
Standing Counsel

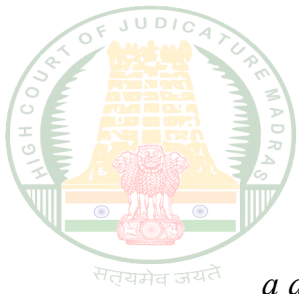
ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

Read this order in continuation of and in conjunction with earlier order, particularly the order dated 01.09.2025, which reads as follows:

“Mr.S.P.Maharajan, learned Special Government Pleader, takes notice for R1 and R3. Mr.K.K.Kannan, learned Standing Counsel takes notice for R2 and R4.

2. No notice is issued to R5 and R6 at this juncture. There is



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a direction to R2 and R4 to inspect the property today (03.09.2025) and report the same day after tomorrow (03.09.2025) as to whether the flex panel, which is seen at page No.66 of the compilation, is an encroachment and whether it poses a public hindrance.

3. It is the case of the petitioner that there was a wall in the place where the flex panel is at present, that wall was found to be an encroachment and was demolished by the authorities (picture at Page No.63).

4. The learned counsel appearing for the petitioner would submit that R5 and R6 have, now in place of the wall, erected a temporary barrier, which is a flex panel.

5. Report by day after tomorrow (03.09.2025).

2.Today, Mr.A.Prasanna Rajadurai, learned Counsel and Mr.K.K.Kannan, learned Standing Counsel, would jointly state that the flex boards have been removed. Photographs are produced before this Court.

3.For the first time, we come to know from the photographs that there is a suit qua the private respondents, R5 & R6 and the State in O.S.No.45 of 2025 before the District Munsif Court, Madurai Taluk. Neither party has thought it fit to apprise us of this position.



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4.In fact no notice has been issued to R5 & R6 and there was truly a direction to the State to impact the boards and update the Court on the position.

5.We make it clear that the present order will not stand in the way of O.S.No.42 of 2025 or interim protection that R5 & R6 may seek before the civil Court.

6.This Writ Petition is closed. No costs.

[A.S.M.J.] & [C.K.J.]
03.09.2025

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