



W.P(MD)No.24778 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2025

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.24778 of 2024

N.Balachandran

... Petitioner

vs.

1. The District Collector,
Ramanathapuram District.

2.The District Forest Officer,
Ramanathapuram District.

3.The Superintendent of Police,
Ramanathapuram District.

4. The Tahsildar,
Tahsildar Office,
Keelakarai,
Ramanathapuram District.

5. Pandi

6. Ramesh Babu

7. Tamilzharasi

8. Jeyanthi

9. Kavitha



W.P(MD)No.24778 of 2024

10. Priya

11. Kichaan

12. Chellammal

13. Muniyasamy

14. Mariyappan

15. Saranaya

16. Suresh

17. Sethumuthu

18. Raniyammal

19. Shanmugam

20. Muthukaruppan

21. Karuppaiah

22. Periyakaruppan

23. Irulandi

24. Anuthan

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 24 upon the Kadarkarai (Seashore) Government Poramboke Land in bearing S.Nos. 235, 237, 238, 239, 241 and 243 at measuring to an extent of more than 15 Acres of lands laying between Seashore and the borderline of Kalimankundu Village, Keelakarai Taluk, Thiruppullani inner circle , Ramanathapuram district, based on the encroachment notice issued by the 4th respondent in his proceedings in Na.Ka.A5/6533/2023 dated



W.P(MD)No.24778 of 2024

14.12.2023 and consequential communication letter dated 01.02.2024,
within time stipulated by this Court.

For Petitioner : Mr.K.Mahendran
For R1, R2 & R4 : Mr.P.Thilakkumar
Government Pleader
For R3 : Mr.P.Kottaichamy
Government Advocate (Crl.Side)

ORDER

(Order of the Court was made by **M.S.RAMESH, J.**)

This writ petition has been filed for a Mandamus, directing the respondents 1 to 4 to remove the encroachment made by the respondents 5 to 24, upon the Kadarkarai (Seashore) Government Poramboke Lands in S.Nos.235, 237, 238, 239, 241 and 243, measuring to an extent of more than 15 Acres of lands lying between Seashore and the borderline of Kalimankundu Village, Keelakarai Taluk, Thiruppullani inner circle, Ramanathapuram district, based on the encroachment notice issued by the 4th respondent in his proceedings in Na.Ka.A5/6533/2023 dated 14.12.2023 and consequential communication letter dated 01.02.2024, within a time frame.



W.P(MD)No.24778 of 2024

2. Alleging encroachments made by the private respondents in the above said survey numbers, though the petitioner made a representation which culminated into eviction proceedings by the authorities, since the same was not acted upon, the petitioner has filed the present writ petition.

3. Heard both sides.

4. Since there is a considerable lapse of time after the earlier representation was made, the petitioner herein is granted liberty to give a fresh representation to the concerned respondent, ventilating his grievances, as expeditiously as possible. On receipt of such a representation, the concerned respondent is directed to consider the same in the light of the proceedings of the 4th respondent in his proceedings in Na.Ka.A5/6533/2023, dated 14.12.2023 and consequential communication letter dated 01.02.2024, and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, private respondents, as well as any other persons, who may be interested in the subject matter, within a period of three (3)



W.P(MD)No.24778 of 2024

months from the date of receipt of the representation. It is 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 concerned respondent to consider the same, on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

(M.S.R, J.) (A.D.M.C, J.)
24.01.2025

Index : Yes / No
Neutral Citation : Yes / No
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To

1. The District Collector,
Ramanathapuram District.

2.The District Forest Officer,
Ramanathapuram District.

3.The Superintendent of Police,
Ramanathapuram District.



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W.P(MD)No.24778 of 2024

M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.
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4. The Tahsildar,
Tahsildar Office,
Keelakarai,
Ramanathapuram District.

ORDER MADE IN
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DATED : 24.01.2025