



W.P.(MD) No.25281 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.03.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.25281 of 2024

C.Ramar

... Petitioner

-Vs-

1.The District Revenue Officer / Monitoring Committee,
Dindigul District, Dindigul.

2.The Tahsildar,
Vedasanthur Taluk,
Dindigul District.

3.The Taluk Surveyor,
Vedasanthur Taluk,
Dindigul District.

4.The Inspector of Police,
Vedasanthur Police Station,
Dindigul District.

5.S.Backiyalakshmi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment

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made by the 5th respondent in the Nilaviyal Salai in S.No.1772/5A situated at Vedasanthur Village and consequently, to direct the respondents 1 to 4 to maintain the said land in S.No.1772/5A situated at Vedasanthur Village as Nilaviyal Salai without any encroachment as contemplated under RSO 26(15).

For Petitioner : Mr.J.Anandkumar
For R1 to R3 : Mr.M.Sarangan,
Additional Government Pleader
For R4 : Mr.A.Albert James,
Government Advocate (Crl.Side)
For R5 : Mr.T.Lenin Kumar

ORDER

[Order of the Court was made by *S.SRIMATHY, J.*]

The petitioner seeks a direction to the respondents 1 to 3 to remove the encroachment made by the 5th respondent in the Nilaviyal Salai in S.No.1772/5A situated at Vedasanthur Village and to maintain the said land as Nilaviyal Salai without any encroachment as contemplated under RSO 26(15).

2.On perusal of the records, it is seen that the 5th respondent has already filed W.P.(MD)No.3721 of 2024, which was disposed of on 19.02.2024. To recall the said order on the ground that the said order was obtained by suppressing



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materials facts, the petitioner herein filed W.M.P.(MD)Nos.8281 to 8283 of 2024.

When this Court disposed of the said petitions on 15.04.2024, the 5th respondent had given an undertaking that the fencing will be removed. However, she has not removed the same till date. Therefore, the petitioner has filed this Writ Petition.

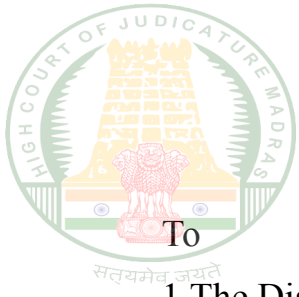
3.Today, when the case was taken up for hearing, the 5th respondent admitted the undertaking submitted while disposing W.M.P.(MD)Nos.8281 to 8283 of 2024. However, the same was not removed and again undertook that the fencing would be removed. In view of the above, the 5th respondent is directed to remove the fencing as per the direction given in W.M.P.(MD)Nos.8281 to 8283 of 2024 forthwith. The official respondents are directed to ensure the same.

4.With the above direction, this Writ Petition is disposed of. No costs.

[J.N.B., J.] & [S.S.Y., J.]
12.03.2025
(½)

NCC : Yes / No
Index : Yes / No

Yuva



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To

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AND

S.SRIMATHY, J.

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