



W.P(MD)No.28974 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

W.P(MD)No.28974 of 2022

Ilangovan

... Petitioner

VS.

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The Revenue Divisional Officer,
Lalgudi Revenue Division,
Trichy District.
- 3.The Tahsildar,
Manachanallur Taluk,
Trichy District.
- 4.The Executive Officer,
Samayapuram Town Panchayat,
Trichy District.
- 5.Ramasamy



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6.Lakshmi
7.Selvam

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to remove the encroachments made by the respondents 5 to 7 herein on the public pathway situated in S.F.No.242/5, S.Kannanur, (Samayapuram), Manachanallur Taluk, Trichy District based on the petitioner's representation dated 16.11.2022.

For Petitioner : Mr.N.Ananda Kumar
For RR 1 to 4 : Mr.S.P.Maharajan
Special Government Pleader
For RR 5 to 7 : Ms.K.Vidya

ORDER

(Order of the Court was made by G.ARUL MURUGAN, J.)

Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the respondents 1 to 4 and the learned counsel appearing for the respondents 5 to 7.



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2.The Writ Petition is filed seeking for a direction to the respondents 1 to 4 to remove the encroachments made by the respondents 5 to 7 on the public pathway situated in S.F.No.242/5, S.Kannanur, (Samayapuram), Manachanallur Taluk, Trichy District.

3.The learned counsel appearing for the respondents 5 to 7 disputes the claim that the property is a public pathway and submitted that the respondents 5 to 7 have been in possession of the property for a long time.

4.The learned Special Government Pleader appearing for the respondents 1 to 4, based on the written instructions, dated 03.08.2025, from the Tahsildar, Manachanallur, submitted that an inspection has already been conducted. Pursuant to the inspection, encroachments were identified in the lands situated in Survey Nos.241/6 and 242/5. On identifying the encroachments, proceedings were initiated under the Tamil Nadu Land



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Encroachment Act, 1905 (hereinafter referred to as 'the Act, 1905'). A notice under Section 7 of the Act, 1905 has already been issued to the encroachers.

5.The learned Special Government Pleader appearing for the respondents 1 to 4 further submitted that on receipt of the reply from the encroachers pursuant to the Section 7 notice, the reply will be duly considered and further proceedings under the Act will be undertaken.

6.In view of the fact that the encroachments have already been identified and proceedings have been initiated, the official respondents are directed to continue with the enforcement action and complete the proceedings by following the procedures contemplated under the relevant Act and Rules, within a period of twelve weeks from the date of receipt of a copy of this order.



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7.With the above observations, this Writ Petition is disposed of.

There shall be no order as to costs.

[S.M.S.,J.] & [G.A.M.,J.]
25.08.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes

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To

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S.M.SUBRAMANIAM, J.
and
G.ARUL MURUGAN, J.

ps

ORDER MADE IN
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