



W.P.(MD) No.28644 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2025

CORAM:

**THE HONOURABLE MR.MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P.(MD) No.28644 of 2025

S.Muniyandi
S/o.Shanmugam
Middle Street
Kappikulam (P.O)
Ottapidaram Taluk
Thoothukudi District

... Petitioner

-VS-

- 1.The District Collector
Thoothukudi District
Thoothukudi
- 2.The District Revenue Officer
Thoothukudi District
Thoothukudi
- 3.The Revenue Divisional Officer
Kovilpatti, Thoothukudi District
- 4.The Tahsildar
Ottapidaram Taluk
Thoothukudi District



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5.The Block Development Officer
Block Development Office
Ottapidaram Taluk
Thoothukudi District

6.Chellakani
W/o.Chelliah

7.Murugesan
S/o.Chelliah

8.Sendur Murugan
S/o.Chelliah
The respondents 6 to 8 are residing
at Kappikulam, Ottapidaram Taluk,
Thoothukudi District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to remove the encroachment in Natham Survey No.11/43 admeasuring to an extent of 0.00.29 Sq Mts situate at Keelamangalam Village, Ottapidaram Taluk, Thoothukudi District, based on the petitioner's representation dated 21.07.2025.

For Petitioner : Mr.S.Sukumar

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R1 to R4
Mr.M.Sarangan
Additional Government Pleader for R5



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ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

This writ petition has been filed ventilating the grievance that despite orders being passed by competent authorities from time to time on 25.07.2025, followed by another communication dated 07.08.2025, encroachment on public street is not been being removed by the 5th respondent, namely, Block Development Officer, Ottapidaram Taluk, Thoothukudi District.

2. If the order / proceedings dated 25.07.2025 and 07.08.2025 have not been assailed, it goes without saying that appropriate proceedings under the Tamil Nadu Land Encroachment Act, 1905, should be initiated at the earliest and the proceedings should be brought to its logical end, one way or the other, by passing appropriate orders in accordance with law, within an outer time limit of three months.



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3. Accordingly, the 5th respondent is directed to take appropriate action expeditiously, if the private respondents have not brought to his notice any order passed by any other authority / court staying the proceedings of eviction.

4. The petition is, accordingly, disposed of. There shall be no order as to costs.

[MANINDRA MOHAN SHRIVASTAVA, C.J.] [R.POORNIMA, J.]
13.10.2025

NCC : Yes / No
Index : Yes / No

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To:

- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The District Revenue Officer,
Thoothukudi District,
Thoothukudi.
- 3.The Revenue Divisional Officer,
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- 4.The Tahsildar,
Ottapidaram Taluk,
Thoothukudi District.
- 5.The Block Development Officer,
Block Development Office,
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THE HON'BLE CHIEF JUSTICE
and
R.POORNIMA, J.

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