



WP CRL.(MD). No.2082 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 27.11.2025

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

W.P.Crl.(MD). No.2082 of 2025

Rathina Sabapathi

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

2. The Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli District.

3. Mangayakarasi @ Christoris Annal,
Correspondent, Jaint Johns School,
Veera Nallur, Cheranmahadevi Taluk,
Tirunelveli District.

4. Sagumavel Gnanamuthu,

... Respondents

PRAYER :- This Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent remove the encroachments made by the 3rd and 4th respondents school management in the pathway property comprised in Survey Nos.999 and 1008/3 situated at North Veeravanallur Village, Cheranmahadevi Taluk, Tirunelveli District by initiating proceedings under Sections 152(1)(a),



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(c), (f)(i), (ii), (iv), (v) of the BNSS, 2023 based on the petitioner's representation dated 11.08.2025 and as per direction of the 1st respondent's proceedings dated 19.08.2025.

For Petitioner : Mr.S.Sathyachidambaram,

For Respondent : Mr.A.Oli Raja,
Government Advocate (Crl.Side) for R1 and R2
: Mr.H.Arumugam for R3 & R4

ORDER

This Petition is filed to direct the 2nd respondent remove the encroachments made by the respondents 3 and 4 school management in the pathway property comprised in Survey Nos.999 and 1008/3 situated at North Veeravanallur Village, Cheranmahadevi Taluk, Tirunelveli District, by initiating proceedings under Sections 152(1)(a), (c), (f)(i), (ii), (iv), (v) of the BNSS, 2023 based on the petitioner's representation dated 11.08.2025 and as per direction of the 1st respondent's proceedings dated 19.08.2025.

2. This Court had disposed of the writ petition by order dated 19.11.2025 directing the respondents to remove the encroachments alleged to have been made by respondents 3 and 4, based on the proceedings of the 2nd respondent.



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3. After the order was dictated by this Court and before it was signed, Mr.H.Arumugam, learned counsel for the respondents 3 and 4, who was not heard earlier, would submit that this Court had directed the respondents to consider the representation within a period of four weeks and the respondents therefore are taking action and if sufficient time is given to the respondents 3 and 4, they would approach the Government for allotting another land by way of an exchange as there are several students studying in the school run by the respondents 3 and 4.

4. The official respondents cannot wait indefinitely for any likely decision on the representation of the respondents 3 and 4. It is for the respondents 3 and 4 to seek remedy within a fixed time period. However, this Court is of the view that interest of justice would be met, if the action of the respondents is deferred for a period of eight weeks and the respondents are directed to take appropriate action within a period of four weeks thereafter.



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5. With the above direction, this Writ Petition is disposed of.

27.11.2025

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Note: Issue order copy on 28.11.2025

TO

1. The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.
2. The Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli District.
3. Mangayakarasi @ Christoris Annal,
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SUNDER MOHAN,J

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