



W.P.(MD) No.4652 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.02.2025

CORAM:

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

AND

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

W.P.(MD)No.4652 of 2025

R.Muthukumar

... Petitioner

-Vs-

1.The District Collector,
Madurai District, Madurai.

2.The Commissioner,
Corporation of Madurai,
Madurai.

3.Sumathi

4.Rani

5.Manikandan

6.R.Meena

7.R.Selvi

8.Suresh

9.Balaganapathy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to remove the encroachments made by the respondents 3 to 9 in public road comprised in Survey No.136/1A3, Anuppanadi Village, Madurai South Taluk, Madurai based on the petitioner's representation dated 09.12.2023.

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For Petitioner : Mr.A.Thiyagarajan
For R1 : Mr.P.Thilak Kumar,
Government Pleader
For R2 : Mr.K.K.Kannan

ORDER

[Order of the Court was made by *J.NISHA BANU, J.*]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.It is the grievance of the petitioner that his representation dated 09.12.2023, seeking removal of the encroachment made by the respondents 3 to 9 in Survey No.136/1A3, Anuppanadi Village, Madurai South Taluk, Madurai, is kept pending till date without any progress. Therefore, he has filed this Writ Petition, seeking for a direction to the respondents 1 and 2 to remove the aforesaid encroachment.

3.Mr.P.Thilak Kumar, learned Government Pleader takes notice on behalf of the 1st respondent. Mr.K.K.Kannan, learned counsel takes notice for the 2nd respondent and submits that the representation of the petitioner would be



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considered and appropriate orders would be passed on its own merits within a period that may be stipulated by this Court.

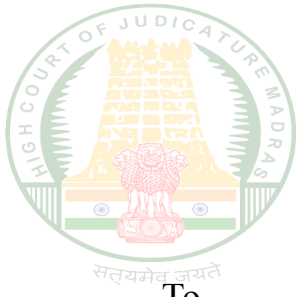
4. Notice to the respondents 3 to 9 is hereby dispensed with, since no adverse order is going to be passed as against them.

5. Considering the limited scope of the prayer sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner either in the representation or in the affidavit filed in support of this Writ Petition, we direct the 2nd respondent to consider the representation of the petitioner dated 09.12.2023, after giving sufficient opportunity of hearing to all the parties concerned and pass appropriate orders on merits and in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order.

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

[J.N.B., J.] & [S.S.Y., J.]
21.02.2025

NCC : Yes / No
Index : Yes / No
Yuva



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To

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- 1.The District Collector,
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J.NISHA BANU, J.

AND

S.SRIMATHY, J.

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