



WEB COPY



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W.P.(MD)NO.7347 OF 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.7347 of 2026

M.Yesudhanam

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Office at Nagercoil.
2. The Executive Engineer,
Public Works Department(WRO),
Kodhaiyaru Sub Division,
Nagercoil,
Kanyakumari District.
3. The Tahsildar,
Thiruvattar Taluk,
Kanyakumari District.
4. The Assistant Engineer,
Public Works Department(WRO),
Kothaiyar Basin Sub Division,
Cheruppallor,
Kulasekaram Post,
Kanyakumari District.

5. Shankir Usain

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 4 to remove the encroachment made in survey No.52 situated at Petchiparai Village, Thiruvattar Taluk, Kanyakumari District by implementing the notice issued by the fourth respondent dated 01.12.2025 within the time frame fixed by this Court.

For Petitioner : Mr.C.Prithviraj

For Respondents : Mr.C.Venkatesh Kumar,
Special Government Pleader
for R-1 to R-4.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learner Special Government Pleader appearing for respondents 1 to 4.

2. Issuance of notice to the fifth respondent is dispensed with.

3. The petitioner alleges that there are encroachments in survey No.52 of Petchiparai Village.



4. It is seen that the fourth respondent had already issued Form-III notice on 01.12.2025. The learned Special Government Pleader states that the noticee, namely, the fifth respondent herein had not so far assailed the Form-III notice. Therefore, the fourth respondent is obliged to enforce the same.

5. This writ petition is allowed by directing the fourth respondent to enforce the Form-III notice issued by him within a period of eight weeks from the date of receipt of a copy of this order.
No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
18th March 2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

PMU



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