



W.P(MD) No.17863 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 02.06.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.P(MD) No.17863 of 2024

P.Mohammed Abdul

... Petitioner

Vs.

**1.The District Collector,
Madurai District,
Madurai.**

**2.The Commissioner,
Melur Municipality,
Melur,
Madurai District.**

**3.The Tahsildar,
Taluk Office,
Melur Taluk,
Madurai District.**

4.Akbar Ali

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 3 to remove the encroachment made by the 4th respondent in T.S.No.205 and T.S.No.137 classified as Municipality Street situated at Nondikovil Melur Town, Melur, Madurai District and consider the petitioner's representation dated 01.11.2023.

For Petitioner : Mr.K.Muraleedharan

For Respondents : Mr.M.R.Senthil
Government Advocate
for R1 & R3
: Mr.K.Mahendran
for R4

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The petitioner as well as the fourth respondent are neighbours who are residents of Melur. Both make allegations against each other. While the petitioner would claim that the fourth respondent has committed encroachment in T.S.No.205 and T.S.No.137, the fourth respondent states that the petitioner and others have committed encroachment in the municipal streets. The petitioner has given a



W.P(MD) No.17863 of 2024

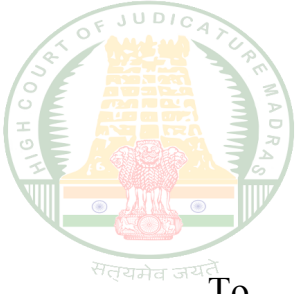
representation dated 01.11.2023, while the fourth respondent has given a representation on 17.04.2025.

3. The second respondent is directed to enquire into both the complaints. Both the parties will be given due opportunity to place their case. All the encroachers shall be put on notice. It is not in dispute that T.S.No.205 & T.S.No.137 have been classified as streets. Encroachment in a street cannot be condoned. The second respondent is directed to remove the encroachments in question after adopting due process of law. This exercise shall be completed within a period of four months from the date of receipt of a copy of this order. We clarify that we have not gone into the merits of the matter.

4. The Writ Petition is disposed of accordingly. No costs.

(G.R.S., J.) (R.P., J.)
02.06.2026

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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W.P(MD) No.17863 of 2024

G.R.SWAMINATHAN, J.
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rmi

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