



W.P.(MD).No.28978 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28978 of 2023

and

W.M.P(MD).No.25017 of 2023

Selvaganapathy

Vs.

... Petitioner

1.State of Tamil Nadu,
Represented by the District Collector,
Thoothukudi District,
Thoothukudi.

2.The Executive Officer,
Selection Grade Town Panchayat,
Udankudi,
Tiruchendur Taluk,
Thoothukudi District.

3.Maharajan

4.Nesamani

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to implement the order passed by Honourable Tribunal dated 23.12.2019.

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For Petitioner : Mr.K.Rajeshwaran
For R1 & R2 : Mr.M.Senthil Ayyanar,
Government Advocate
For R3 & R4 : Mr.V.Nambi Nachiyar

ORDER

The present writ petition has been filed seeking a writ of mandamus directing the second respondent to implement the order passed by the Local Body dated 23.12.2019.

2. It is seen from the records that the petitioner alleges that his property has been encroached upon by the third and fourth respondents, who have put up constructions based on the approval granted by the second respondent.

3. According to the learned counsel appearing for the petitioner, third and fourth respondents have deviated from the approved plan and have put up additional constructions. Therefore, the Local Body had directed the second respondent to initiate appropriate action in accordance with law.



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4. The second respondent has filed a counter affidavit stating that two civil suits in O.S.No.58 of 2020 and O.S.No.60 of 2020, between the petitioner and the private respondents, are pending on the file of the District Munsif Court, Tiruchendur. In such circumstances, it is stated that the order of the Local Body could not be implemented.

5. Considering the above facts, it is evident that the petitioner is attempting to evict the third and fourth respondents from the disputed property with the assistance of the official respondents. It is open to the second respondent to initiate appropriate proceedings, after the disposal of the proceedings before the competent Civil Court.

6. With the above observations, this writ petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

13.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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- 1.The District Collector,
Thoothukudi District,
Thoothukudi.
- 2.The Executive Officer,
Selection Grade Town Panchayat,
Udankudi,
Tiruchendur Taluk,
Thoothukudi District.



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R.VIJAYAKUMAR,J.

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