

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Civil Appellate Jurisdiction )

Tuesday, the Twenty Eighth day of March Two Thousand and Twenty  
Three

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PRESENT

The Hon`ble Mr.Justice R.SURESH KUMAR  
and  
The Hon`ble Mr.Justice R.VIJAYAKUMAR

CONT P(MD)No.254 of 2023

K.BASKARAN

... PETITIONER/PETITIONER

Vs

1 SUNDARASAMY,  
THE BLOCK DEVELOPMENT OFFICER,  
MADURAI EAST PANCHAYAT UNION, (PANCHAYATS),  
BLOCK DEVELOPMENT OFFICE,  
MADURAI DISTRICT.

2 PRAVEEN RAJA,  
THE PRESIDENT, VILLAGE PANCHAYATH,  
ILANGIYENTHAL PANCHAYATH,  
PUDUTHAMARAIPATTI POST,  
MADURAI DISTRICT.

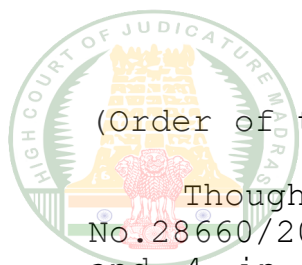
... CONTEMNORS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to punish the respondents for his willful and deliberate disobedience of the order of this Honourable Court in W.P.(MD).No.28660 of 2022 dated 22.12.2022.

Prayer in WP(MD)No. 28660/ 2022 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to remove the encroachment in pathway at 70/14, 73/21 at ilangiyenthal village, 33/10, 34/10, 36/1, 37/1, 37/2, 37/9, 38/1 and 35/1 at Sithakoor village Ilangiyenthal village panchayat, Madurai East Taluk, Madurai District by way of considering petitioner representation on 12.12.2022.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.R.JEGADEESWARAN, Advocate for the petitioner and of MR.A.K.MANIKKAM, Special Government Pleader on behalf of the respondents, the court made the following order:-



(Order of the Court was made by R.SURESH KUMAR, J.)

Though this order was passed on 22.12.2022 in W.P(MD) No.28660/2022, where six weeks time was given to the respondents 3 and 4 in the writ petition, who are the respondents herein, to remove the encroachments, so far no action seems to have been taken.

2. Today, the learned Additional Government Pleader appearing for the respondents has placed the communication written by the Block Development Officer to the Tahsildar concerned dated 09.02.2023 and 06.03.2023. In these two communications, he directed the Tahsildar to survey the land and to send the measurement and document to that effect so that further action as directed by this Court to remove the encroachment can be taken by the Block Development Officer. Pursuant to these two communications, no action has been taken by the Tahsildar and this has been cited as a reason for not complying with the order, according to the learned Additional Government Pleader.

3. In view of the afore-stated, we are inclined to grant further two weeks time to the respondents to comply with the order and in this context, there shall be a direction to the Tahsildar concerned, namely, Tahsildar, Madurai East Taluk, since who was also one of the party respondent in the writ petition, to act upon immediately on the request given by the Block Development Officer dated 09.02.2023 and 06.03.2023 enabling the Block Development Officer to comply with the order to remove the encroachment and that shall be undertaken jointly by both these parties within a period of two weeks and to file a report to that effect. Post on 12.04.2023.

sd/-

28/03/2023

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/04/2023

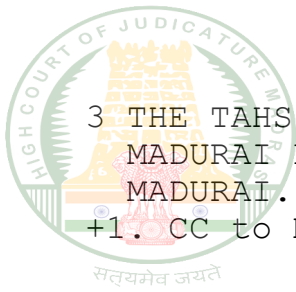
Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

RR  
TO

1 SUNDARASAMY,  
THE BLOCK DEVELOPMENT OFFICER,  
MADURAI EAST PANCHAYAT UNION, (PANCHAYATS),  
BLOCK DEVELOPMENT OFFICE,  
MADURAI DISTRICT.

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ILANGIYENTHAL PANCHAYATH,  
PUDUTHAMARAIPATTI POST,  
MADURAI DISTRICT.

<https://www.mhc.tn.gov.in/judis>



CONT P(ML)



23

3 THE TAHSILDAR,  
MADURAI EAST TALUK,  
MADURAI.

+1. CC to MR.R.JEGADEESWARAN, Advocate SR.No.5072 (I)

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ORDER

IN

CONT P (MD) No.254 of 2023

Date :28/03/2023

PKP/SSS/SAR-3/10.04.2023/ **3P/5C**