



W.P(MD)No.1556 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2023

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

W.P(MD)No.1556 of 2023

B.Kaliyappan

... Petitioner

Vs.

1.The District Collector
Tirunelveli District.

2.The Commissioner
Office of the Commissioner,
Tirunelveli Corporation,
S.N. High Road,
Tirunelveli - 1.

3.The Thasildhar
Palayamkottai,
Tirunelveli - 2.



W.P(MD)No.1556 of 2023

4.P.Thangavel

... Respondents

(Respondent No.4 is impleaded vide Court order, dated 14.02.2023 made in WMP(MD)No.1823 of 2023.)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the third respondent to remove the encroachment made the Public Pathway in T.S.R.No.107 at Aandavar 2nd Street, Poosthi Lane, Kuruchi, Melapalayam, Tirunelveli - 5 pursuant to the proceedings of the first respondent, dated 03.10.2022.

For Petitioner : Mr.S.M.Mohan Gandhi

For Respondents : Mr.P.Thilak Kumar – for R1 & R3

Government Pleader

Mr.S.P.Maharajan – for R2

Standing Counsel

No Appearance – for R4



W.P(MD)No.1556 of 2023

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Heard Mr.S.M.Mohan Gandhi, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 and 3 and Mr.S.P.Maharajan, learned Standing counsel appearing for the second respondent.

2. The learned Government Pleader submits that the property in question would be surveyed and if any encroachment is found, action would be taken in accordance with law.

3. In view of the said statement, the Writ Petition is disposed of. The property would be surveyed within a period of three months. No costs.

[S.V.G., C.J.]

[K.K.R.K, J.]

29.11.2023

Index : Yes / No

Neutral Citation : Yes / No

RM



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