



W.P.(MD)No.19850 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2023

CORAM:

THE HONOURABLE **MR.JUSTICE S.S.SUNDAR**
and
THE HONOURABLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P(MD)No.19850 of 2023

R.Shanthi

... Petitioner

Vs.

The Joint Commissioner/Executive Officer,
Arulmigu Thandayuthapani Swamy Temple,
Palani, Dindigul District.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent to remove the encroachment made in the East West Lane situates in Southern side of S.No.874 and North South Lane situates in Western side of S.No.875 in Block-20, Ward-3, Sannathi Street, Adivaram, Palani Town, Dindigul District.

For Petitioner

:Mr.N.Mohan

For Respondent

:Mr.K.Govindrajan
Standing Counsel



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ORDER

(Order of the Court was made by **S.S.SUNDAR, J.**)

This writ petition is filed for a writ of mandamus directing the respondent to remove the encroachment made in the East West Lane situates in Southern side of S.No.874 and North South Lane situates in Western side of S.No.875 in Block-20, Ward-3, Sannathi Street, Adivaram, Palani Town, Dindigul District.

2. The petitioner though alleges that a public road is encroached by several individuals by putting up shops, the petitioner has not impleaded any of the alleged encroachers.

3. The learned Standing counsel appearing for the respondent states that the petitioner himself is an encroacher.

4. Under these circumstances, this Court is not inclined to entertain the writ petition and the writ petition is dismissed on the short



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ground for non-joinder of necessary parties. However, leave it open to the respondent to file a fresh writ petition after impleading the alleged encroacher. No costs.

[S.S.S.R., J.] [D.B.C., J.]
16.08.2023

Index : Yes / No
NCC : Yes/No

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S.S.SUNDAR, J.

and

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