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W.P.(MD)NO.21129 OF 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.21129 of 2018

B.Mohammed Iqbal

... Petitioner

Vs.

1. The District Collector,
Pudukottai.

2. The Revenue Divisional Officer,
Illupur Post and Taluk, Pudukottai District.

3. The Tahsildar,
Kulathur Taluk, Pudukottai District.

4. The Block Development Officer,
Viralimalai Post and Taluk, Pudukottai.

5. B.Abdul Jalil

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, thereby direct the respondents 1 to 4 to remove the encroachment made by the fifth respondent in S.F.No.136/1 of Mathur Village, Kulathur Taluk, Pudukottai District, within a reasonable time.

For Petitioner : Mr.Ganapathi Subramanian



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2

W.P.(MD)NO.21129 OF 2018

For R-1 to R-4 : Mr.K.Balasubramani,
Special Government Pleader.
* * *

ORDER

Heard both sides.

2. The revenue record clearly indicates that survey No.136/1, Mathur Village in Kulathur Taluk has been classified as cart track (vandi pathai). Any encroachment on a cart track cannot be permitted. If the fifth respondent committed encroachment on the said cart track, it will have to be removed by adopting due process of law. The third respondent is directed to hold field inspection in this regard and if the allegation of the petitioner that the fifth respondent committed encroachment is well founded, then the encroachment shall be removed. The entire exercise shall be completed by the third respondent within a period of three months from the date of receipt of a copy of this order. This writ petition stands disposed of accordingly. No costs.

(G.R.SWAMINATHAN,J.) (B.PUGALENDHI,J.)
21.11.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No
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4

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AND
B.PUGALENDHI,J.

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