



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.09.2015
CORAM

THE HONOURABLE Mr.JUSTICE S.NAGAMUTHU
AND

THE HONOURABLE Mr.JUSTICE V.S.RAVI
W.P.(MD)No.15979 of 2015
and M.P.(MD) No.1 of 2015

P.Chandran

... Petitioner

Vs.

1.The District Collector,
District Collector Campus,
Virudhunagar District.

2.Asst.Executive Engineer,
PWD, Mela Vaipar Water Division,
Rajapalayam.

3.Tahsildar,
Srivilliputhur,
Srivilliputhu Tk,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to remove the encroachment existing in the Senkulam Kanmai in Kunnur Village, Srivilliputhur (Tk), Virudhunagar Dt on the basis of representation dated 24.09.2014 and 03.08.2015 made by the petitioner to the respondents.

For Petitioner ... Mr.C.S.Ravichandran

For Respondents ... Mr.M.Govindan

Special Government Pleader

O R D E R

The petitioner has come up with this Public Interest Litigation seeking to remove the encroachment alleged to have been made by certain individuals in Senkulam Kanmai in Kunnur Village, Srivilliputhur (TK), Virudhunagar(Dt.).

2.We have heard the learned counsel appearing for the appellant and the learned Special Government Pleader appearing for the respondents. We have perused the materials carefully.

3. It is seen from the records that the so called encroachers have not been impleaded as parties to this writ petition and further, survey number of the land, which is stated to have been encroached has not been mentioned. Therefore, in our considered view, without hearing the so called encroachers, without affording opportunity to them and without the proper description of the property, it is not possible to pass any order for eviction.



4. In such view of the matter, this writ petition is dismissed.
No costs. Consequently, connected M.P. is closed.

Sd/-

Assistant Registrar(Crl.side)

/TRUE COPY/

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Sub Assistant Registrar

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To,

1.The District Collector,
District Collector Campus,
Virudhunagar District.

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PWD, Mela Vaipar Water Division,
Rajapalayam.

3.Tahsildar,
Srivilliputhur,
Srivilliputhu Tk,
Virudhunagar District.

+1 CC to M/S.SPL.GOV.T.PLEADER, SR NO: 52131

JAM/SKS-RR/21.9.15/2P-5C

W.P. (MD)No.15979 of 2015
and M.P. (MD) No. 1 of 2015

04.09.2015