



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2015

CORAM :

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Petition (MD) No.21910 of 2015

M.Yesudhas

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The Revenue Divisional Officer,
Nagercoil,
Kanyakumari District.
3. The Tahsildar,
Agasteeswaram Taluk,
Kanyakumari District.
4. The Sub Inspector of Police,
Anjugramam Police Station,
Anjugramam,
Kanyakumari District.
5. Symon

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 24.11.2015 to remove the encroachment made in S.No.204/49 Old S.No.839/1 to an extent of 4 cents (1742.4 sq.ft) situated at Kulasekarapuram village Agasteeswaram Taluk Kanyakumari District.

For Petitioner : Mr.T.Selvakumaran
For Respondents : Mr.M.Alagadevan,
Special Government Pleader.

ORDER

(Order of the Court was made by V.RAMASUBRAMANIAN,J.)

<https://hcservices.ecourts.gov.in/hcservices/>

The petitioner has come up with the above writ petition seeking a mandamus to direct the respondents to consider his



representation for the removal of encroachment.

2. Heard Mr.T.Selvakumaran, learned counsel for the petitioner.

3. Under the guise of removal of encroachment in a pathway, the petitioner is seeking restoration of a private pathway as seen from paragraph 6 of the affidavit filed in support of this writ petition. In any case, the encroachment complained of is that the coconut stems are being put in the pathway.

4. Therefore, the writ petition is not the appropriate remedy. Hence, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The Revenue Divisional Officer,
Nagercoil,
Kanyakumari District.
3. The Tahsildar,
Agasteeswaram Taluk,
Kanyakumari District.
4. The Sub Inspector of Police,
Anjugramam Police Station,
Anjugramam,
Kanyakumari District.

+ 1 CC TO MR.T.SELVAKUMARAN, ADVOCATE IN SR NO. 70500
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 70745

SMS

TE/AMF/ : 21/12/2015 : 2P/7C

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