

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE  
AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.37900 of 2016  
and W.M.P.No.32475 of 2016

K.Ramalingan .. Petitioner

-vs-

- 1.The District Collector,  
Ariyalur District.
- 2.The Revenue Divisional Officer,  
Ariyalur District.
- 3.The Tahsildar,  
Taluk Office, Ariyalur Taluk and District.
- 4.The Block Development Officer,  
(Village Panchayat), Panchayat  
Union Office, Ariyalur.
- 5.Regional Assistant Block Development  
Officer, (Region No.4), Panchayat Union,  
Ariyalur.
- 6.The Panchayat President,  
Eluppaiyur Panchayat,  
Ariyalur District.
- 7.The Inspector of Police,  
Sendurai Police Station,  
Sendurai Taluk, Ariyalur District.

8.S.Annamalai  
9.M.Kaliyamoorthi

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 6 to consider the petitioner's representation dated 20.07.2016 with regard to the removal of encroachment made by the 8<sup>th</sup> respondent herein in Survey no.512/11 classified as general path in government records situated at Eluppaiyur Village, Ariyalur Taluk, Ariyalur District.

For Petitioner : Mr.J.Prakasam

For Respondents : Mr.M.K.Subramanian  
Govt. Pleadere for RR 1 to 3  
: Mr.R.Vijayakumar,  
Addl.G.P. for RR 4 and 5

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

On enquiry, learned counsel for the petitioner concedes that the issue of encroachment on public path is already sub-judiced in a suit and the submission of the learned counsel for the petitioner is that despite an interim order, the private eighth respondent has still further encroached on the path.

2.The aforesaid being the position, the petitioner will have to work out his remedies in the pending suit rather than to sue in the present writ petition.

3.Writ petition is dismissed with liberty as aforesaid. No costs. Consequently, W.M.P.No.32475 of 2016 also stands dismissed.

Sd/-

सत्यमेव जयते  
Assistant Registrar

//True Copy//

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Sub Assistant Registrar

sra

To

- 1.The District Collector, Ariyalur District.
- 2.The Revenue Divisional Officer,  
Ariyalur District.
- 3.The Tahsildar,  
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(Village Panchayat), Panchayat  
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Ariyalur District.
- 7.The Inspector of Police,  
Sendurai Police Station,  
Sendurai Taluk, Ariyalur District.

+lcc to Mr. J. Prakasam, Advocate, S.R.No.62049

+lcc to the Government Pleader, S.R.No.62182

sai (CO)

md (11/11/2016)

W.P.No.37900 of 2016

सत्यमेव जयते

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