



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.NAGAMUTHU**

AND

THE HONOURABLE MR.JUSTICE **M.V.MURALIDARAN**

W.P. [MD] .No.19441 of 2016

T.Wilson : Petitioner

Vs.

1.The Tahsildar,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.

2.M.Enose

3.Anjalouse : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to remove encroachment made in the road from Kovilvilai to Sabarikulam by named as Sasthankoil Road comprised in Resurvey No.261 to 354 of Ezhudesom Village, Vilavancode Taluk, Kanyakumari District, within the time frame that may be stipulated by this Court.

For Petitioner : Mr.S.Sivakumar

For Respondent No.1 : Mr.Aayiram K.Selvakumar,
Government Advocate

O R D E R

[Order of the Court was made by **S.NAGAMUTHU, J.**]

The petitioner has come up with this Public Interest Litigation seeking a direction to the first respondent to remove the alleged encroachment on the land comprised in Resurvey Nos.261 to 354 of Ezhudesom Village, Vilavancode Taluk, Kanyakumari District, stating that there is a road on the said Survey Numbers.

2. This Writ Petition has come up today for admission. We have heard the learned counsel for the petitioner and the learned Government Advocate, taking notice for the first respondent. We have also perused the records carefully.



3. The learned Government Advocate appearing for the first respondent would submit that the petitioner has got land adjacent to the land belonging to the second and third respondents. The land mentioned in the petition is only a patta land and the petitioner is now trying to lay road on the said patta land.

4. In our considered view, since there is no proof that there is encroachment made on a Government poramboke land, no relief could be granted in this matter. The Writ Petition is, therefore, dismissed. No costs.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

The Tahsildar,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.

+1 cc to MR.S.SIVAKUMAR, Advocate SR.No.59544

+1 cc to Special Government Pleader SR.No.60565

**Order made in
W.P. [MD] .No.19441 of 2016
Dated: 06.10.2016**

SMA/GSV-PM/03.11.2016:2P/4C