

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.3.2017

CORAM

THE HONOURABLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.6902 of 2017

R.Lakshmi

Petitioner

Versus

- 1 The District Collector
Office of the District Collector
Erode District
- 2 The District Revenue Officer
Office of the District Collector
Erode District
- 3 The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Erode District
- 4 The Thasildar
Office of the Thasildhar Perundurai
Perundurai Taluk Erode District
- 5 P.Palanisamy

6 P.Venkatachalam

Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the Respondents 1 to 4 to remove the encroachment made by the 5th and 6th respondent in S.F. No.655/8C and 655/10A situated at Karumandi, Sellipalayam, Perundurai Taluk, Erode District by considering the petitioner representation dated 19.09.2016.

For petitioner : Mr.D.Gopal

For R1 to R4 : Mrs.Vasutha Thiagarajan

ORDER

(Order of the court was made by HULUVADI G.RAMESH, ACJ.)

Heard the learned counsel appearing for the petitioner and Mrs.Vasutha Thiagarajan, learned Additional Government Pleader appearing for respondents 1 to 4.

2 The writ petition has been filed seeking issuance of a writ of mandamus directing the Respondents 1 to 4 to remove the encroachment made by the 5th and 6th respondent in S.F. No.655/8C and 655/10A situated at Karumandi, Sellipalayam, Perundurai Taluk, Erode District by considering the petitioner representation dated 19.09.2016.

3. According to the petitioner, she is the owner of the land in S.No.655/8, Kathmandu Sellipalayam, Perundurai Talk and the adjacent land viz., S.Nos.655/8C and 655/10A had been used by the public as a common pathway which is all declared as such in a civil suit in OS.No.604 of 1983 on the file of the II Additional District Munsif, Erode, but, the same is still prevented by respondents 5 and 6 and despite several representations, including the latest one being dated 19.9.2016, submitted to the authorities, no action has been taken and hence, the present writ petition has been filed.

4. It appears that apart from the civil remedy, the petitioner has come before this court. However, it is for the respondent authorities to look into the matter and if it is found that there is common pathway and it has been encroached as alleged, the same shall be restored by removing encroachment, in accordance with law, within a period of three months from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To:

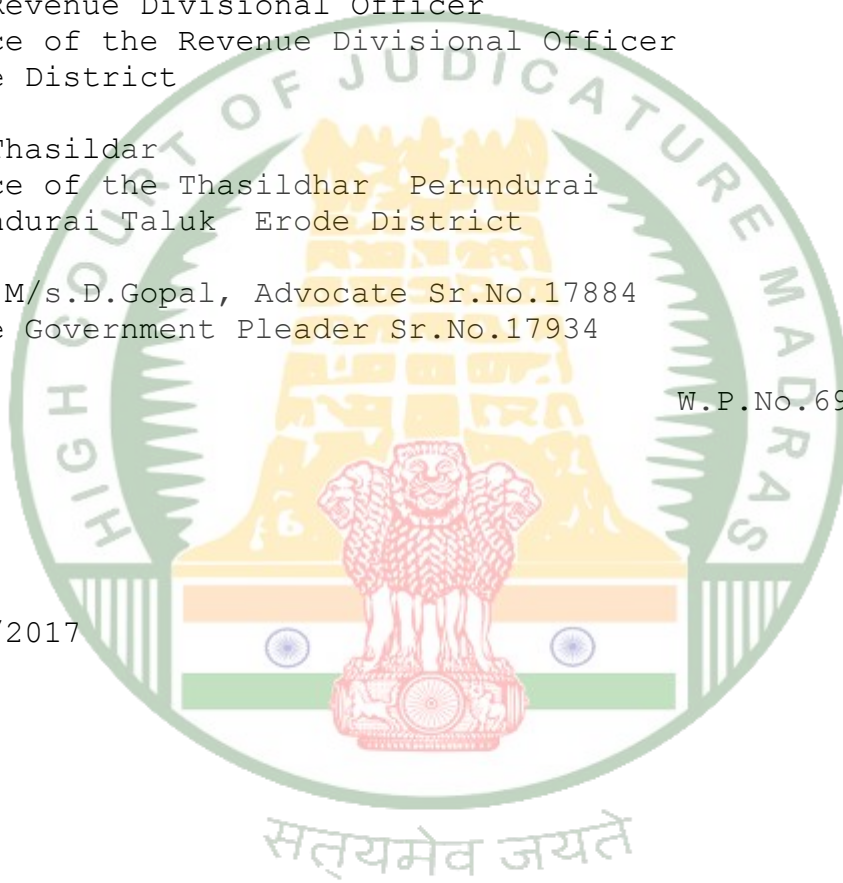
- 1 The District Collector
Office of the District Collector
Erode District
- 2 The District Revenue Officer
Office of the District Collector
Erode District
- 3 The Revenue Divisional Officer
Office of the Revenue Divisional Officer
Erode District
- 4 The Thasildar
Office of the Thasildhar Perundurai
Perundurai Taluk Erode District

+ 1 cc to M/s.D.Gopal, Advocate Sr.No.17884
+ 1 cc The Government Pleader Sr.No.17934

W.P.No.6902 of 2017

KJ (CO)

RRI 19/04/2017



WEB COPY