

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2017

CORAM :

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

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.1854 of 2017

S.A.Nataraj

.. Petitioner

Vs

1.The District Revenue Officer,
Coimbatore,
Coimbatore District.

2.The Sub Collector,
Pollachi,
Coimbatore District.

3.The Tahsildar,
Pollachi Taluk, Pollachi,
Coimbatore District.

4.S.P.Kandasamy,
Vigneshwara Matric Higher Secondary School,
Kottu Road, Angalakurichi,
Pollachi Taluk,
Coimbatore District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the third respondent in his Proceedings Na.Ka.No.5194/2016/A-7, dated 31.10.2016 and quash the same and consequently direct the respondents 1 to 3 to remove the encroachment made by the fourth respondent on the public pathway (cart track) situated in S.F.No.77-A, Kottur village, Pollachi Taluk, Coimbatore District.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.T.N.Rajagopalan
Spl.1 G.P. for R1 to R3

* * * * *

ORDER

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

The petitioner does not have any direct interest in the subject matter and the issue of construction of the school and the willingness of the owner of the school to pay the lease amount for any extra land has been taken care of in the impugned order passed by the Tahsildar on 31.10.2016.

2. The revenue authorities will however ensure that the interest of the revenue is secured, as assured by the owner of the school and no further encroachment is permitted.

3. We, thus, do not find this a fit case for interference under the Public Interest Litigation jurisdiction.

4. The writ petition is dismissed with the aforesaid observation.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

- 1.The District Revenue Officer,
Coimbatore,
Coimbatore District.
- 2.The Sub Collector,
Pollachi,
Coimbatore District.
- 3.The Tahsildar,
Pollachi Taluk, Pollachi,
Coimbatore District.

+1 cc to Mr.C.Prakasam Advocate sr 5203
+1 cc to Government Pleader sr 4894

W.P.No.1854 of 2017

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aa09/02/2017