

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2017

CORAM :

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

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.No.34773 of 2015

P.Mani

... Petitioner

Vs

1. The District Collector,
Collectorate, Tiruppur District.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Dharapuram.

3. The Tahsildar,
Dharapuram Taluk Office,
Dharapuram.

4. Maharani

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents 1 to 3 to remove the blockade made by the fourth respondent and their men in the pathway in Erasinampalayam village, Dharapuram Taluk in view of the representation dated 08.10.2015 by appreciating the above stated facts.

For Petitioner : Mr.M.Guruprasad

For Respondent : Mr.R.Vijayakumar
Additional Government Pleader
for R1 to R3
Mr.A.K.Sridharan for R4

ORDER

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

On hearing the learned counsel for parties, it transpires, while the petitioner states that respondent No.4 has blocked the public pathway, the stand of respondent No.4 is that it is their personal property. Respondent No.4 has already filed a suit, but the revenue authorities are not parties to it.

2. We direct respondent Nos.2 and 3 to cause an inspection to be made at site to determine the allegation of the petitioner whether there is any encroachment on the public path or not within fifteen days from the date of receipt of the copy of this order and in case of any encroachment is found, action in accordance with law be taken and concluded within a maximum period of two months thereafter, after notice to all concerned.

3. Since the suit proceedings pertain to the claim of the private land of respondent No.4, that pendency would not affect the present exercise being directed by this Court.

4. The writ petition, accordingly, stands disposed of. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Collectorate,
Tiruppur District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Dharapuram.
3. The Tahsildar,
Dharapuram Taluk Office,
Dharapuram.

+1cc to Mr.M.Guruprasad, Advocate, S.R.No.3888
+1cc to Mr.A.K.Sridharan, Advocate, S.R.No.3509
+1cc to the Government Pleader, S.R.No.3759

W.P.No.34773 of 2015

SV(CO)
CA(30/01/2017)