

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 31.07.2017

CORAM:

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P. (MD)No.10249 of 2014
and
M.P. (MD)No.1 of 2014**

Nallusamy

: Petitioner

Vs.

1. The District Collector,
Dindigul,
Dindigul District.
2. The District Revenue Officer,
Dindigul,
Dindigul District.
3. The Revenue Divisional Officer,
Kodaikanal Taluk,
Dindigul District.
4. The Thasildhar,
Kodaikanal Taluk,
Dindigul District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to take suitable action on the petition dated 10.02.2014 submitted by the wife of the petitioner and take appropriate action against the illegal encroachers.

For Petitioner	: Mr.A.Sahaya Philomin Raj.
For Respondents	: Mr.T.S.Mohammed Mohideen,
1 to 4	Additional Government Pleader.
	Mr.S.Anand Chandrasekar
	for Sarvabhauman Associates
	for proposed Respondents 5 & 6

**ORDER**

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

The petitioner, who is stated to be an encroacher in respect of a Government land, seeks a Writ of Mandamus, directing the district authorities to remove the encroachment.

2. The affidavit filed in support of the Writ Petition contains a clear statement that the petitioner himself made an application for grant of patta. According to the petitioner, the encroachers are now in possession of the land. The encroachers are not made parties to the Writ Petition. Even otherwise, the petitioner has no right to maintain a Writ Petition in the absence of patta granted in his favour. We, therefore, do not find any reason to issue a Mandamus as prayed for by the petitioner.

3. In the upshot, we dismiss the Writ Petition. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul,
Dindigul District.
2. The District Revenue Officer,
Dindigul,
Dindigul District.
3. The Revenue Divisional Officer,
Kodaikanal Taluk,
Dindigul District.
4. The Thasildhar,
Kodaikanal Taluk,
Dindigul District.

+1cc to M/S. K.K.SAMY, Advocate, SR.No.68835.

+1cc to M/S. SARVABHUMAN ASSOCIATES, Advocate, SR.No.69087.

+1cc to Special Government Pleader, SR.No.69727.

Order made in
W.P. (MD) No.10249 of 2014
31.07.2017