



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 03.08.2017

CORAM :

WEB COPY

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

W.P(MD)No.17015 of 2014

R.Kaliaperumal

... Petitioner

Vs.

1. State represented by
The District Collector,
Pudukottai,
Pudukottai District.
2. The Revenue Divisional Officer,
Pudukottai,
Pudukottai District.
3. The Tahsildar,
Pudukottai,
Pudukottai District.

... Respondents

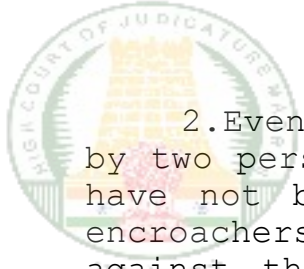
Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the first respondent to issue suitable directions to the third respondent to remove the obstructions in Survey No.767/3 situated at Athanankottai Maruthuvar Colony, Pudukottai Taluk, Pudukottai District based on petitioner's representation dated 08.07.2014 on the line of Division Bench direction in WP(MD)No.1703 of 2013.

For Petitioner	: Mr.Anandhan for Mr.S.Muthalraj
For Respondents	: Mr.M.Govindan, Special Government Pleader.

O R D E R

(Order of the Court was made by G.R.SWAMINATHAN, J.)

The writ petitioner seeks issuance of suitable directions to the third respondent to remove the obstructions in Survey No.767/3 situated at Athanankottai Maruthuvar Colony, Pudukottai Taluk, Pudukottai District.



2. Even though the writ petitioner alleges that encroachment is by two persons namely, Murugan and Malaiyandi, the said encroachers have not been made as respondents. Without making the alleged encroachers as a party, the writ petitioner cannot obtain an order against them behind their back. On this ground alone, the writ petition stands dismissed. The writ petitioner is at liberty to file a fresh writ petition by making all the interested and necessary parties as respondents. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Pudukottai,
Pudukottai District.
2. The Revenue Divisional Officer,
Pudukottai,
Pudukottai District.
3. The Tahsildar,
Pudukottai,
Pudukottai District.

+ 1 CC TO Mr.S.MUTHAL RAJ, ADVOCATE IN SR No. 70005
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 70634

SKM/TSG

TE/GT/SAR-IV : 23/08/2017 : 2P/6C

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