



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 01.09.2017

CORAM :

WEB COPY

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

W.P (MD) No.20787 of 2015
and
M.P. (MD) No.1 of 2015

S.Kavitha

... Petitioner

Vs.

1. The District Collector,
Pudukottai District,
Pudukottai.
2. The Tahsildar,
Aranthangi Taluk,
Pudukottai District.
3. The Commissioner,
Aranthangi Municipality,
Pudukottai District.

4.Kathiresan

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 12.10.2015 to remove the encroachment made by the fourth respondent in the public pathway in S.No.4, Ward C, Block 29, Aranthangi, Pudukottai District.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.M.Govindan,
Special Government Pleader for RR1 and 2
Mr.P.Mahendran for R3
Mr.A.Arunprasad for R4

O R D E R

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

The writ petitioner seeks removal of the encroachment said to have been made by the fourth respondent. The property in question happens to be a patta land, besides a civil suit is also pending between the parties.



2. In this view of the matter, the question of issuing mandamus sought for by the petitioner cannot arise.

3. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Pudukottai District,
Pudukottai.

2. The Tahsildar,
Aranthangi Taluk,
Pudukottai District.

3. The Commissioner,
Aranthangi Municipality,
Pudukottai District.

+ 1 CC TO Mr. T. LENINKUMAR, ADVOCATE IN SR No. 76438
+ 1 CC TO Mr. P. MAHENDRAN, ADVOCATE IN SR No. 76389
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 76239

SKM/ARUL

TE/MR-KKR/SAR-IV : 19/09/2017 : 2P/7C

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M.P.(MD) No. 1 of 2015
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