



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 25.07.2017

CORAM :

WEB COPY

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

W.P(MD)No.4040 of 2014

1.K.Gowri
2.K.Gayathri Devi
both rep by their Power Agent
Pon.RaviKumar ... Petitioner

Vs.

1.The District Collector,
Tirunelveli,
Tirunelveli District.

2.The Commissioner,
Sankarankovil Municipality,
Sankarankovil,
Tirunelveli District.

3.The Tahsildar,
Sankarankovil Taluk,
Sankarankovil,
Tirunelveli District.

4.The Revenue Divisional Officer,
Tirunelveli. ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to remove the encroachment made in the 30 feet Odai Street, Sankarankovil, Tirunelveli District, within a time frame fixed by this Court.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.T.S.Md.Mohideen for R1, 3 and 4

O R D E R

(Order of the Court was made by K.K.SASIDHARAN, J.)

The petitioner filed this writ petition to direct the respondents to remove the encroachment stated to have been made in respect to the 30 feet Odai Street, Sankarankovil, Tirunelveli District.

2.The alleged encroachers are not made parties to this writ petition. It is not possible for this Court to adjudicate the issue raised by the petitioner and decide the matter in one way or the other without the association of the alleged encroachers. We therefore do not find any reason to issue a Mandamus as prayed for by the petitioner.

3.In the result, the writ petition is dismissed. However, we make it clear that this order would not stand in the way of the petitioner from approaching the concerned authorities or this Court after impleading the alleged encroachers. No costs.

Sd/-

Assistant Registrar (ADII)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Tirunelveli,
Tirunelveli District.

2.The Commissioner,
Sankarankovil Municipality,
Sankarankovil,
Tirunelveli District.

3.The Tahsildar,
Sankarankovil Taluk,
Sankarankovil,
Tirunelveli District.

4.The Revenue Divisional Officer,
Tirunelveli.

+One cc to M/s.P.Mahendran, Advocate, SR.no.67533

+One cc to The Special Government Pleader, SR.No.68388

skm/Arul

RL/7C/2P/SKN/RSK/SAR4/8/8/2017

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