



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 12.09.2017

CORAM:

WEB COPY

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

W.P. (MD).No.4941 of 2014

K.Rajalingam

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Rajapalayam Taluk,
Virudhunagar District.

3.The President,
South Venganallur Panchayat,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.

4.The Sub-Registrar,
Registration Office,
Rajapalayam,
Virudhunagar District.

5.K.Dhanushkodi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of writ of Mandamus, directing the 1st respondent to consider and pass orders on the petitioner's representation dated 08.02.2014 made in regard to removal of encroachment of the public pathway in Govt. Natham Porampoke Survey Nos.558/42 and 550 in South Venganallur Village, Rajapalayam Taluk, Virudhunagar District till such time the respondents 2 to 4 has to be restrained from Sub-Division approval and registration of the land in Ayan Nanjai Survey No.553, within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For R1, R2 and R4 : Mr.M.Govindan

Special Government Pleader

For R3 : No appearance

For R4 : Mr.S.Mayaperumal

**ORDER**

[Judgment of the Court was delivered by **G.R.SWAMINATHAN, J.**]

The writ petitioner seeks removal of the encroachments committed on the public pathway in Govt. Natham Porampoke Survey Nos.558/42 and 550 in South Venganallur Village, Rajapalayam Taluk, Virudhunagar District. He has given a representation dated 08.02.2014 in this regard.

2.The second respondent has to conduct the survey of the land after issuing notice to the 5th respondent. On the basis of the outcome of the survey, the third respondent will have to take action for removal of the encroachment if any. The third respondent of course shall issue notice to the interested parties and follow the statutory procedure. The second respondent has to conclude the survey within a period of two months from the date of receipt of a copy of this order. The third respondent shall take follow up action on the basis of the Survey results within a period of two months thereafter.

3.The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Rajapalayam Taluk,
Virudhunagar District.

3.The Sub-Registrar,
Registration Office,
Rajapalayam,

Virudhunagar District.

+1cc to Mr.G.THALAIMUTHUARSU Advocate in SR. No. 78386

MM/VSG

JS/SKN.RSK/SAR.1/24.10.2017/2P-5C

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