



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. [MD] .No.11728 of 2017

WEB COPY

Karuppaiah

: Petitioner

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
3. The Tahsildar,
Karaikudi,
Sivagangai District.
4. Kumarasamy

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to remove the encroachment in public pathway situated at S.No.150/13 of Devapattu Village, Karaikudi Taluk, Sivagangai District within a time frame to be stipulated by this Court.

For Petitioner

: Mr.K.N.Govardhanan

For Respondents 1 to 3 : Mr.M.Govindan,

Special Government Pleader

For Respondent No.4

: Mr.R.Devaraj

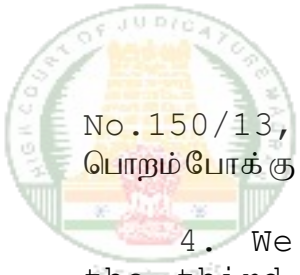
O R D E R

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

The petitioner filed this Writ Petition to direct the respondents 1 to 3 to remove the encroachment in respect of a public pathway at S.No.150/13, Devapattu Village, Karaikudi Taluk, Sivagangai District.

2. According to the learned counsel for the fourth respondent, the land in question is a private land and as such, the petitioner has no justifiable claim in respect of the said property.

3. The learned Special Government Pleader, by producing a copy of the revenue records, submitted that the land in Survey



No.150/13, Devapattu Village, is a public pathway (சர்க்கார் பொறம்போக்கு பாதை).

4. We direct the Tahsildar, Karaikudi, Sivagangai District, the third respondent herein, to survey the land in question and remove the encroachment, in case there is any such encroachment. It is needless to point out that notice should be issued to the petitioner and the fourth respondent, before passing orders, taking into account the representation submitted by the petitioner. Such exercise shall be completed, within a period of three months from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
3. The Tahsildar,
Karaikudi,
Sivagangai District.

+1cc to Mr.R.Devaraj, Advocate Sr.No.66366
+1cc to Spl.Government Pleader Sr.No.66581

SML/MYR

VB/KP/SAR3/26.07.2017/2P/6C

Order made in
W.P. [MD].No.11728 of 2017
18.07.2017