



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM**  
**and**  
**THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

W.P.(MD) No.11842 of 2017

M.Udhayasuriyan

... Petitioner

**-vs-**

1. The District Collector,  
Tirunelveli District,  
Tirunelveli.
2. The Tahsildar,  
Sankarankovil,  
Tirunelveli District.
3. The Block Development Officer,  
Sankarankovil Taluk,  
Tirunelveli District.
4. The Special Officer,  
Karivalam Vandhanallur Panchayat,  
Sankarankovil Taluk,  
Tirunelveli.
5. M.Sanmugavel
6. S.Vairamuthu
7. M.Mariappan
8. P.Sakthi

... Respondents

**PRAYER** : Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 4 to remove the encroachments which are available in survey nos.1441/53, 1441/54, 1441/66 Kaliyamman Kovil Street, Karivalamvandhanallur, Sankarankovil Taluk, Tirunelveli District based on the petitioner's representation dated 29.05.2017.

For Petitioner : Mr.G.R.Satish

For Respondents : Mr.T.S.Mohameed Mohideen  
Additional Government Pleader  
for R1 to R3

**ORDER****(Order of the Court by T.S.SIVAGNANAM, J.,)**

This writ petition is filed seeking for a direction upon the respondent 1 to 4 to remove the alleged encroachment made by the respondents 5 to 8, by considering the petitioner's representation dated 29.05.2017.

2. On perusal of the documents annexed to the typed set of documents, *prima facie* it appears that there is a small passage or pathway in a residential area and in writ jurisdiction, it is difficult for this Court to assess whether it is an encroachment or not. In any event, the petitioner has sent a representation, to the Tahsildar and Block Development Officer, Sankarankovil, through registered post. Therefore, he is permitted to pursue his remedy before the respondents 2 and 3, who shall consider the petitioner's representation in accordance with law.

3. Accordingly, this writ petition is disposed of . No costs.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

**To:**

1. The District Collector,  
Tirunelveli District,  
Tirunelveli.
2. The Tahsildar,  
Sankarankovil,  
Tirunelveli District.
3. The Block Development Officer,  
Sankarankovil Taluk,  
Tirunelveli District.
4. Special Officer,  
Karivalam Vandhanallur Panchayat,  
Sankarankovil Taluk,  
Tirunelveli.

+ 1 CC TO Mr.G.R.SATISH, ADVOCATE IN SR No. 62614

+ 1 CC TO Mr.T.S.MOHAMED MOHIDEEN, ADVOCATE IN SR No. 62254

IA/KRK

TE/JC/SAB-I : 04/07/2017 : 2P/7C

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