



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16489 of 2017

S.Rohini

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Collectorte,
Madurai.

2.The Tahsildar,
Thirumangalam Taluk,
Madurai District.

3.The Block Development Officer,
Thirumangalam Panchayat Union,
Thirumangalam,
Madurai District.

4.R.Pandi

.. Respondents

PRAYER: Writ Petition 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 made by the 4th respondent in Survey No.417/5, East Street, Aalampatti Village, Thirumangalam Taluk, Madurai District within a period that may be stipulated by this court.

For petitioner : Mr.K.Neelamegam

Respondents : Mr.M.Govindan (for R1 & R2)
Special Government Pleader
Mr.K.P.Krishndass (for R3)
Mr.P.Siva Subramaniam (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 enchroachments said to have been made by the fourth respondent in Survey No. No.417/5, situated at East Street, Aalampatti Village, Thirumangalam Taluk, Madurai District.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The learned Special Government Pleader appearing for the



respondents 1 & 2 would point out that the encroachments in question have already been removed. As regards the Survey No.417/5, it has been classified as site in the revenue records and it stands in the name of the 4th respondent herein. Therefore, the question of directing removal of encroachment of the 4th respondent from the said survey number cannot be arise. It is obviously a patta land. However, if there are any pathway encroachments the same shall cause to be removed after following statutory provisions.

3.This Writ Petition is disposed of accordingly. No Costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To:

- 1.The District Collector,
Madurai District,
Collectorte,
Madurai.
- 2.The Tahsildar,
Thirumangalam Taluk,
Madurai District.
- 3.The Block Development Officer,
Thirumangalam Panchayat Union,
Thirumangalam,
Madurai District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 79308

+1cc to Mr.K.NEELAMEGAM Advocate in SR. No. 78862

+1cc to Mr.P.SIVASUBRAMANIAN Advocate in SR. No. 78857

TA/MM

JS/SKN.RSK/SAR.1/24.10.2017/2P-7C

ORDER MADE IN
W.P (MD) No.16489 of 2017
14.09.2017