



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 20.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.1792 of 2017

Sasikumar

.. Petitioner

Vs.

1.The District Collector,
District Collectorate,
Pudukkottai District.

2.The Revenue Divisional Officer,
Alangudi Taluk,
Pudukkottai District.

3.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.

4.The Executive Officer,
Alangudi Town Panchayat,
Pudukkottai District.

5.V.Thirumeni

.. 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 building encroachments in public pathway made by the respondent No.5 in Survey No.174/24, Adeswar Kovil Street, S.Kulavaipatti Village, Arimalam way, Alangudi Taluk, Pudukkottai District in view of the petitioner's representation dated 12.12.2016.

For petitioner : Mr.M.M.Iqbal

For respondents : Mr.M.Govindan

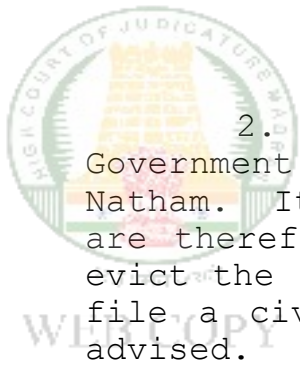
Special Government Pleader
for R.1 to R.3

: Mr.M. Rajarajan
for R.4

O R D E R

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

The petitioner filed this Writ Petition for a direction to the respondents 1 to 4 to remove the encroachment stated to have been made by the fifth respondent in respect of a public pathway in Survey No.174/24, Adeswar Kovil Street, S.Kulavaipatti Village, Arimalam way, Alangudi Taluk, Pudukkottai District.



2. The revenue records produced by the learned Special Government Pleader indicates that the property is classified as Natham. It is not a public road as contended by the petitioner. We are therefore not in position to direct the respondents 1 to 4 to evict the fifth respondent. It is always open to the petitioner to file a civil suit before the competent civil forum, if he is so advised.

3. The Writ Petition is disposed of with the above observation. No costs.

Sd/-

Assistant Registrar(Record)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
District Collectorate,
Pudukkottai District.

2.The Revenue Divisional Officer,
Alangudi Taluk,
Pudukkottai District.

3.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.

4.The Executive Officer,
Alangudi Town Panchayat,
Pudukkottai District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.67011

+1cc to Mr.M.M.IQBAL Advocate in SR. No.66513

SSL/SM

JS/SV/SAR.3/31.07.2017/2P-7C

W.P. (MD) No.1792 of 2017
20.07.2017