



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.1899 of 2017

V.Sekar

.. Petitioner

Vs.

1.The District Collector,
District Collector Office,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Taluk Office,
Thiruppuvanam Taluk,
Sivagangai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to remove the encroachment made by the encroachers from the public road, streets and public places in Survey Nos.385/2B, 554, 555, 557, 559 and 564 at Kanakkankudi Village, Thiruppuvanam Taluk, Sivagangai District and to render absolutely free from obstruction for vehicles and pedestrians from access to the public road, streets and public places within the time frame stipulated by this Court.

For petitioner : Mr.M.Maran

For respondents : Mr.M.Govindan
Special Government Pleader

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 to remove the encroachments stated to have been made in respect of the Government land in Survey Nos. 385/2B, 554, 555, 557, 559 and 564 at Kanakkankudi Village, Thiruppuvanam Taluk, Sivagangai District.

2. The Tahsildar, Thiruppuvanam Taluk, by communication dated 21.12.2016, informed the petitioner that it would not be possible to conduct enquiry for eviction. According to the Tahsildar, the details are not furnished by the petitioner and as

such, it is not possible for him to consider the request.

3. In view of the communication dated 21.12.2016 sent by the Tahsildar, we do not find any reason to issue a Writ of Mandamus. It is always open to the petitioner to collect the particulars and initiate appropriate proceedings in accordance with law.

4. The writ petition is disposed of with the above observation. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
District Collector Office,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Taluk Office,
Thiruppuvanam Taluk,
Sivagangai District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.66942
+1cc to Mr.S.M.MARAN Advocate in SR. No.66388

SM/SSL
JS/SV/SAR.1/27.07.2017/2P-5C

W.P. (MD) No.1899 of 2017
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