



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.02.2017
CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE P.KALAIYARASAN

W.P (MD) No.3229 of 2017

P.Balakrishnan .. Petitioner
Vs.

1. The District Collector,
Trichy, Trichy District.
2. The Revenue Divisional Officer,
Lalgudi Taluk, Trichy, Trichy District.
3. The Thasildar,
Manachanallur Taluk,
Trichy, Trichy District.
4. Kamalam .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to remove the encroachment made by the fourth respondent in Survey No.325 situated at Poonampalayam, Manachanallur Taluk, Trichy District based on the petitioner's representation dated 24.10.2016.

For Petitioner : Mr.S.M.Mohan Gandhi

For Respondents 1 to 3 : Mr.D.Muruganandam,
Additional Government Pleader.

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This writ petition has been filed under Article 226 of the Constitution of India praying to direct the respondents 1 to 3 to remove encroachments alleged to have been made in Survey No.325, Poonampalayam Village, Manachanallur Taluk, Tiruchirappalli District, by way of issuing a writ of mandamus.

2.Mr.D.Muruganandam, learned Additional Government Pleader, has taken notice for the respondents 1 to 3. Considering the nature of the relief sought in the writ petition and also considering the classification of Survey No.325, notice need not be sent to the fourth respondent.



3. It is seen from the Adangal Register that Survey No.325 has been classified as a cart track. The main contention put forth on the side of the petitioner is that the fourth respondent has made certain encroachments in Survey No.325.

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4. As adverted to earlier, Survey No.325 has been classified as cart track in Government record. Under the said circumstances, this Court is inclined to pass the following order.

5. In fine, this writ petition is allowed without costs and the third respondent is directed to conduct proper survey in respect of Survey No.325, Poonampalayam Village, Manachanallur Taluk, Tiruchirappalli District and if there is any encroachment directed to remove the same under due process of law within a period of two months.

Sd/
Assistant Registrar (P&A)

/TRUE COPY/

Sub Assistant Registrar

To

1. The District Collector,
Trichy, Trichy District.
2. The Revenue Divisional Officer,
Lalgudi Taluk, Trichy, Trichy District.
3. The Thasildar,
Manachanallur Taluk,
Trichy, Trichy District.

+1cc to M/s.S.M.MOHAN GANDHI, Advocate, in SR No.10662
+1cc to Special Government Pleader SR.No.10829

SMN

AAM CM MSA SAR3 01.03.2017 2P 6C

ORDER MADE IN
W.P (MD) No.3229 of 2017
24.02.2017