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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.3760 of 2017

Rasu

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Tahsildar,
Marungapuri Taluk,
Marungapuri,
Trichy District.

3.Natarajan

4.Tamilarasi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first and second official respondents to remove the third and fourth respondents illegal encroachments made in the pathway in front of their house in Survey No.353 (Not Known of sub division number) at Palathupatti Village, Marungapuri Taluk, Trichy District within specified time frame.

For Petitioner

: Mr.K.Abiya

For R1 & R2

: Mr.M.Govindan

Special Government Pleader

For R3 & R4

: Mr.P.Ganapathi Subramanian

O R D E R

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

The petitioner filed the writ petition to direct the respondents 1 and 2 to remove the encroachment stated to have been made by the respondents 3 and 4 in respect of the pathway in Survey No.353 at Palathupatti Village, Marungapuri Taluk, Trichy District.



2. The survey records produced by the learned Special Government Pleader indicates that there are 74 sub-divisions to Survey No.353.

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3. The learned counsel for the petitioner submitted that the encroachment is in Survey No.353/2. The V.A.O., who is present in Court on the basis of the records submitted that the property in Survey No.353/2 is shown as Natham.

4. In the absence of proper particulars furnished by the petitioner, it is not possible for this Court to adjudicate the issue raised in the writ petition.

5. We therefore dismiss the writ petition with liberty to the petitioner to file a comprehensive writ petition, after furnishing the required survey particulars. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Trichy District,
Trichy.

2.The Tahsildar,
Marungapuri Taluk,
Marungapuri,
Trichy District.

+One cc to M/s.K.Abiya, Advocate, SR.No.71145

+One cc to Mr.M.P.Ganapathi Subramanian, Advocate, SR.No.70928

+One cc to The Special Government Pleader, SR.No.71481

akv/mrn

RL/6C/2P/SKN/RSK/SAR1/30/8/2017