



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.04.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P (MD) No.6291 of 2017

S.Selvi .. Petitioner

Vs.

1.The Executive Officer,
Ervadi I-Grade Town Panchayat,
Nanguneri, Tirunelveli District.

2.The Thasildar,
Nanguneri Taluk,
Tirunelveli District.

3.Arulmigu Santhanamari, Utchimahali &
Muppidathi Ammankali Temple,
Vannier Community, Ervadi,
Rep. By its Administrator,
S.Ganapathy Chettiyar.

.. 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 1 and 2 to remove the encroachment made by the third respondent in the public street situated in Survey No.18/309, Ervadi, Nanguneri Taluk, Tirunelveli District as per the survey report of the second respondent, within time fixed by this Court.

For Petitioner : Mr.H.Arumugam

For R -1 : Mr.R.Anandaraj,
Government Advocate

For R - 2 : Mr.M.Govindan,
Special 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 and 2 to remove encroachments which are in existence in Survey No.18/309, Ervadi, Nanguneri Taluk, Tirunelveli District, by way of issuing a



Writ of Mandamus.

2.Mr.R.Anandaraj, learned Government Advocate, has taken notice for the first respondent and Mr.M.Govindan, learned Special Government Pleader, has taken notice for the second respondent. Considering the nature of the relief sought in the Writ Petition and also classification of Survey No.18/309, notice need not be sent to the third respondent.

3.It is seen from the records that Survey No.18/309 has been classified as a street.

4.The main contention putforth on the side of the petitioner is that the third respondent has made certain encroachments in Survey No.18/309.

5.Considering the contention putforth on the side of the petitioner and also classification of Survey No.18/309, this Court is inclined to pass the following order.

6.In fine, this Writ Petition is allowed without costs and the first respondent is directed to conduct proper survey in respect of Survey No.18/309 with the assistance of revenue records and if there is any encroachment in Survey No.18/309, Ervadi, Nanguneri Taluk, Tirunelveli District, directed to remove the same under due process of law within a period of two months.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1.The Executive Officer,
Ervadi I-Grade Town Panchayat,
Nanguneri, Tirunelveli District.

2.The Thasildar,
Nanguneri Taluk,
Tirunelveli District.

+1cc to Mr.H.Arumugam, Advocate, SR.51139

+1cc to M/s.Special Government Pleader, SR.51442

ORDER MADE IN
W.P (MD) No.6291 of 2017
10.04.2017