



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.07.2017
CORAM:

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

W.P(MD)No.7601 of 2017

M.Mayandi Ambalam .. Petitioner
Vs.

1.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Sivagangai Taluk,
Sivagangai.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to remove the encroachment in S.Nos.275, 293/8, 293/17, 293/18, 291, 284, 285, 283, 280 and 281 in V.Malampatti Group 5 Village, Sivagangai Taluk, Sivagangai District by considering the petitioner representation dated 09.01.2017 within the period stipulated by this Court.

For petitioner : Mr.M.Mohamed Sherbudeen

For Respondents : Mr.T.S.Md.Mohideen
Additional 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 second respondent to remove the encroachment made in Survey Nos.275, 293/8, 293/17, 293/18, 291, 284, 285, 283, 280 and 281 in V.Malampatti Group 5 Village, Sivagangai Taluk, Sivagangai District.

2.The learned Additional Government Pleader by placing <https://hcservices.ecourts.gov.in/hcservices/> report given by the second respondent submitted that there is no encroachment as on date.



3. Even though the petitioner seeks an order to remove the encroachment, the fact remains that the encroachers are not made as parties to the writ petition. The report submitted by the Revenue Inspector indicates that there is no encroachment as on today. In case, there are encroachments still to be removed, it is open to the petitioner to file comprehensive writ petition impleading all the encroachers as parties.

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

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub-Assistant Registrar

To:

1. The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

2. The Tahsildar,
Sivagangai Taluk,
Sivagangai.

+One cc to The Special Government Pleader, SR.No.66265

rj2/vsg

RL/4C/2P/KK/SAR1/25/7/2017

ORDER MADE IN

W.P(MD) No.7601 of 2017

17.07.2017