



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.8498 of 2017

A.N.Appasamy

: Petitioner

Vs.

1. The District Collector,
Thoothukudi District.

2. The Tahsildar,
Kovilpatty Taluk,
Thoothukudi District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to take necessary steps to remove the encroachments in Survey Nos.164, 188, 189, 191, 192, 193, 194, 195, 196 and 198 wherein Oorani, Water tank, Odai, common path way are situate in the respective said survey numbers are belongs to Government property and prevent from encroacher in future and maintaining the same for public use and considering the petitioner's representation dated 23.03.2017.

For Petitioner : Mr.S.Ramasamy
For Respondents : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader

ORDER

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

The petitioner filed this Writ Petition to remove the encroachments stated to have been made in respect of the lands situated in S.Nos.164, 188, 189, 191, 192, 193, 194, 195, 196 and 198.

2. The alleged encroachers are not parties to the writ petition. We, therefore, do not find any reason to issue a Mandamus as prayed for by the Writ Petitioner. However, we make it clear that this order would not stand in the way of the jurisdictional Tahsildar from taking action against the encroachers.



3. The Writ Petition is dismissed with the above observation.
No costs.

Sd/-
Assistant Registrar (Crl.side)

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/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Thoothukudi District.
2. The Tahsildar,
Kovilpatty Taluk,
Thoothukudi District.

+ 1 CC TO Mr.S.RAMASAMY, ADVOCATE IN SR No. 70895
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 71707

SSL/TSG
TE/SKN-RSK/SAR-II : 28/08/2017 : 2P/5C

Order made in
W.P. [MD].No.8498 of 2017
Dated:07.08.2017