



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.16586 of 2013

and

M.P.(MD)No.1 of 2013

P.Kumara Rajan

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Palani,
Dindigul District.

3.The Tahsildar,
Vedasandoor Taluk Office,
Veda Sandoor,
Dindigul District.

4.The Sub Inspector of Police,
Kumboor Police Station,
Kumboor, Vedasandoor Taluk,
Dindigul District.

5.V.P.Manoharan

6.R.Sathya Moorthy

7.P.Dhandapani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 herein to remove the encroachments and clear the pathway situated in Survey No.889/2 Kalwarpatti Village, Vedasandoor Taluk, Dindigul District to each petitioner's property.

For petitioner

: Mr.G.Gomathi Sankar

For R1 to R4

: Mr.T.S.Mohammed Mohideen

Additional Government Pleader

For R5 to R7

: Mr.PTS.Narendra Vasan

**ORDER**

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

The petitioner filed this writ petition to restrain the respondents 5 to 7 from obstructing the cart-track situated in Survey No.889/2, Kalwarpatti Village, Veasandoor Taluk, Dindigul District.

2. The writ petition is opposed by the respondents 5 to 7 primarily on the ground that there was no act at their instance by blocking the cart track in question. According to the respondents 5 to 7, they are unnecessarily dragged into the midst of litigation.

3. The instruction taken by the learned Additional Government Pleader indicates that there is a cart track in Survey No.889/2, Kalwarpatti Village.

4. It is the contention of the respondents 5 to 7 that they are not obstructing the usage of the cart track by the petitioner and as such, there is no cause of action for filing this writ petition.

5. Since the respondents 5 to 7 made it very clear that they have no intention to block the cart track in question, no further adjudication is necessary in the writ petition.

6. The writ petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(A.E)

/True Copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Dindigul District, Dindigul.
- 2.The Revenue Divisional Officer,
Palani, Dindigul District.
- 3.The Tahsildar,
Vedasandoor Taluk Office,
Veda Sandoor, Dindigul District.
- 4.The Sub Inspector of Police,
Kumboor Police Station,
Kumboor, Vedasandoor Taluk,
Dindigul District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 75760

+1cc to Mr.PTS.NARENDRAVASAN Advocate in SR. No. 75627

AKV/PSD

JS/KP/SAR.1/11.09.2017/2P-7C

ORDER MADE IN

W.P.(MD)No.16586 of 2013

29.08.2017