



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 09.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P.(MD).No.1350 of 2018

Rajammal

.... Petitioner

Vs.

1.The District Collector,
Collectorate, Trichy.

2.The Revenue Divisional Officer,
Musiri,
Trichy District.

3.The Tahsildar,
Taluk Office,
Turaiyur,
Trichy District.

4.M.Sundararaj

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to take action to remove the encroachment made by the 4th respondent in S.NO.239/1 and 239/2 in Singalanthapuram Village, Thuraiyur Taluk, Trichy District and to mark pathway in the FMB Sketch to connect S.No.239/4.

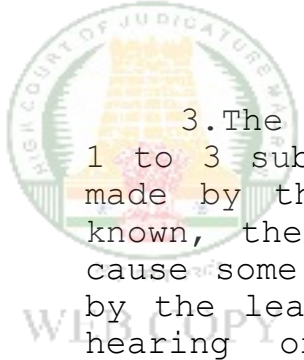
For Petitioner : No appearance
For R1 to R3 : Mr.S.Dhayalan
Government Advocate

O R D E R

[Order of the Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.S.Dhayalan, learned Government Advocate appearing for the respondents 1 to 3. None appears on behalf of the petitioner.

2.This petition has been filed stating that the fourth respondent has encroached into the land in Survey Nos.239/1 and 239/2. The petitioner has alleged that the said lands are classified as pathway.



3.The learned Government Advocate appearing for the respondents 1 to 3 submitted that there is no encroachment and the allegation made by the petitioner is absolutely false and for reasons best known, the petitioner has filed this writ petition presumably to cause some disturbance to the fourth respondent. It is pointed out by the learned Government Advocate that when the case came up for hearing on 24.01.2018, this Court specifically directed the petitioner to point out as to what is the nature of the encroachment. However, there is no material placed before this Court to state that there is an encroachment, especially in the light of the stand taken by the third respondent that there is no encroachment caused by the fourth respondent.

4.In the light of the same, this writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
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Trichy.

2.The Revenue Divisional Officer,
Musiri,
Trichy District.

3.The Tahsildar,
Taluk Office,
Turaiyur,
Trichy District.

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.54528

W.P.(MD).No.1350 of 2018
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